East India company (English)

A

DEFENCE

OF THE

UNITED COMPANY

OF

MERCHANTS of ENGLAND,

TRADING to the *EAST-INDIES*,

AND THEIR

SERVANTS,

(Particularly THOSE AT *BENGAL*)

Against the COMPLAINTS of the

DUTCH EAST-INDIA COMPANY:

BEING A

MEMORIAL from the ENGLISH Company to His Majesty on that Subject.

Armaque in Armatos sumere Jura sinunt. OVID.

LONDON:

Printed for J. BROTHERTON, in *Cornhill*; and Sold by R. and J. DODSLEY, in *Pall-Mall*, and T. WALLER, in *Fleet-Street*.

M.DCC.LXII.

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ADVERTISEMENT.

THE DUTCH EAST-INDIA COMPANY *having thought fit to publish in their own Language the Memorial presented, by his late Majesty's Command, to their High Mightinesses the States-General, on the 14th of August, 1760, accompanied with an Extract of a Letter from the President and Council of Calcutta, to their Principals, the Directors of the English Company, containing a Narrative of the late Transactions between the Two Companies in Bengal; and likewise their own Report to their High Mightinesses, in Answer to the said Memorial and Letter; and these Papers having been lately translated into English, and published in London; the* ENGLISH EAST-INDIA COMPANY, *in Order to vindicate their own Conduct, and that of their Servants, from the injurious Misrepresentations of the said Report, find it necessary to offer to the Public a Copy of their Memorial to His Majesty on this Subject.*

As the Citations in this Memorial, from the Report of the Dutch Company, will not be found to agree precisely with the English Translation, lately published, it is necessary to inform the Reader, that the Report was transmitted from the States-General to his Majesty in French, and from that French Copy those Passages are cited. The English may be a faithful Translation from the Dutch Copy published in Holland; but considered as a Translation from the French Copy, which this Memorial was intended to answer, and which, being transmitted by their High Mightinesses Order, is, as between the two Nations, the Original, it is in general very inaccurate.

The Reader must likewise be informed, that Fort William and Calcutta are Names which, in this Memorial, as in common Use, denote the same Place; though, properly speaking, Fort William is a Fortress belonging to the Company, in the Town and District of Calcutta, their principal Settlement in the Province of Bengal.

N. B. *The Company not having received the Deposition subjoined at the End of the Appendix, 'till after this Piece was finish'd, and indeed printed, the Reader is desired to mark a Reference to it with his Pen, at the proper place, in p. 7; and likewise in p. 10.*

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ERRATA.

Pages 6 *and* 7.		*For* Buggueſes, *read* Bugueſe.
19.	*Line* 9.	*The Quotation ſhould begin at the Words* The Mogul, *and end with the Paragraph.*
—	24.	*For* Phirmaunds, *read* Phirmaund.
31.	5.	*After the Word* Bantam, *inſtead of a Comma, inſert a Note of Admiration.*
—	11.	*Inſtead of a Period inſert a Comma after the Words* allow him.
43.	35.	*For* extraordinary Evidence, *read* contradictory Evidence.

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TO THE

KING's Moſt Excellent MAJESTY.

MOST GRACIOUS SOVEREIGN,

IN obedience to your Majeſty's Commands, ſignified to us by a Letter from Lord Bute, of the 6th of October laſt, from whom we at the ſame Time received a Copy of a Memorial preſented to his Lordſhip by Mr. Hop, late Envoy extraordinary from the States General, and likewiſe a Copy of a Paper deliver'd to his Lordſhip with the ſaid Memorial, being the Report made by the Directors of the Dutch Eaſt-India Company to their High Mightineſſes, concerning what paſſed between the Engliſh and Dutch Factories in Bengal, in the Year 1759, in anſwer to a Memorial on that Subject delivered to their High Mightineſſes by his Excellency, Sir Joſeph York, the 14th of Auguſt, 1760, and to a Paper which accompanied it, entitled A Memorial of Facts, being an Extract of a Letter from our Preſident and Council at Bengal; We have taken the Contents of the Papers thus tranſmitted to us into our moſt ſerious Conſideration, and have endeavoured to inform ourſelves by every Means in our Power of the real State of thoſe Tranſactions; and we now beg leave to lay before your Majeſty the Reſult of our Enquiries on the various Subjects introduced by the ſaid Report.

THE Gentlemen Directors of the Dutch Company have in this their Report thought fit to bring together a variety of Facts, Obſervations and Arguments, tending not only to exculpate their Servants in India from the Charge contained in the Memorial of the 14th of Auguſt, of committing Hoſtilities againſt the Engliſh in Bengal, which was the only Subject whereon their High Mightineſſes the States General, by their Reſolution of the ſame Date, appear to have deſired Information; but likewiſe to recriminate and retort that Charge, and even to introduce and give a Colour to other Complaints, no way relative to the Contents of the Engliſh Memorial; all which we will in turn endeavour to elucidate, not doubting but to make it appear, that thoſe Complaints, and the Juſtification attempted againſt the Charge contained in the ſaid Memorial, are equally void of Foundation in Truth and Juſtice.

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Having this multiplicity of Matter to deal with, your Majesty will perceive that it was not in our Power, desirous as we have been of giving your Majesty the speediest Information, to compleat this Work sooner.

As the Charge contain'd in the English Memorial, and the Answer attempted to be given it in the Report, best deserve your Majesty's Attention, We will begin with that Subject, proposing to obviate Misrepresentations, and ascertain the Truth of the Facts in dispute between us, from the best Intelligence we have been able to procure thereof, and to make such Observations only as may either tend to those Ends, or to deliver the Questions of Right from that Confusion in which the Report has involved them.

On this Point, if we understand the Gentlemen Directors of the Dutch Company rightly, they admit in Substance, though they controvert some of the Circumstances (which we shall in their Place consider) that the Dutch Fleet and Army did commit Hostilities on the English at Bengal, on and after the 14th of November, 1759; but they endeavour to justify this Conduct, under a Pretence that nothing of that sort was intended, and when it happened, was a Measure to which they were reluctantly constrained in their own Defence. To support this, they contend that the Armament from Batavia was not destined for the Ganges, and that before it began to act there, prior Hostilities had been committed by the English.

It behoves us therefore to examine, first, What was the *real Destination* of the Armament which left Batavia in June, 1759, Part of which arrived in the Ganges the latter End of August, and the Residue the Beginning of October following; and secondly, Who were in Fact the *Aggressors* in the Hostilities confessedly committed on both Sides.

First then, It is asserted that this Armament was not destined for Bengal, but for the Dutch Settlements on the Coast of Choromandel, and had no View to Bengal, except that the Governor of those Settlements had Orders, *as soon as* Circumstances should *no longer* require *that Number* of Troops there, to send *a Part* of them to Bengal; these Orders, from their Manner of stating them, we suppose the Gentlemen would have understood to be subsequent to those under which he was first to employ them on the Coast of Choromandel.

To induce a Belief that these Assertions are true, it is stated that the War on the Coast of Choromandel was carried on with great Vigour, not only between the English and French, but likewise between the latter and the Prince of Tanjore; and it is added that, though the Dutch Company had observed the most strict Neutrality,

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lity, their Settlements were not secure from the Violences and Vexations of both Parties; and four Instances are given of Injuries, said to have been sustained by the Dutch, *viz.* One from the English and Three from the French in the Course of these Wars. To secure their Settlements on that Coast from those Violences, it is asserted these Troops *were wanted there*, and *therefore* this Armament was resolved on and sent from *Batavia for that Service*. These Assertions are prefaced with a Declaration from the Gentlemen Directors of the Dutch Company, that they can *positively prove* this to have been the Destination of the Batavian Armament, though they are afterwards pleased to substitute *positive Assertion* for *positive Proof*; a Phrase which misled us to expect, among the Pieces annexed to their Report, some authentic Vouchers on this Head, or at least Copies of the supposed Resolution of the Government of Batavia, in January 1759, of the supposed Orders from thence to the Governor of their Settlements on the Coast of Choromandel, and of the several Orders under which the commanding Officer sailed from Batavia, and conducted the Fleet and Army to Bengal; but no such Paper is to be found there.

The Gentlemen however proceed to observe, that the Troops were in Fact sent directly to the Coast of Choromandel,and all disembarked at Negapatam, except only those on board the Visiolet, which in the Passage from Batavia to Choromandel is said to have been separated by Storm from the other Ships, and thereby *forced to proceed* to the Ganges. " Hence, say they, it is evident that the only Intent of " sending these Troops was to employ them in the Defence of the Company's " Settlements on the said Coast, since it cannot with the least Shadow of Reason " be presumed, that if the Governor of Batavia had had the Design imputed to " him, he would have been so senseless as not to send them directly to Bengal, but " first to the Choromandel Coast, and so make them take a round-about Course, " which was not only useless, but might render the Object in view in a great Mea- " sure, if not entirely unattainable."

It is true that the greater Part of this Armament did touch at Negapatam before it proceeded to Bengal. It is likewise true that, while it was preparing, the Government of Batavia gave out and labour'd to have it understood, that it was intended for the Coast: And if they had a further or a different Object in view, they industriously endeavoured to keep that secret; so industriously, that the very Commanding Officer, Colonel Roussel, as he afterwards assured Governor Clive, did not know till he arrived at Negapatam that he was to go further. But whoever inclines to suspect that Bengal, and not the Coast of Choromandel, was the real and ultimate Object of this Armament, notwithstanding what was then and is now pretended, will not, perhaps, find himself driven to the Necessity supposed, of imputing a Want of Understanding, whatever else he may impute, to the Governor of Batavia, in sending it

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it firſt to Negapatam, though he ſhould be able to diſcover no further View in that Meaſure, than to the Uſe which is now made of it, to colour a future Aſſertion, that Bengal was not the original Object of its Deſtination, and in the mean Time to remove the Apprehenſions of thoſe who might be alarmed by the Reports which, in Spite of all Efforts, had got Abroad, and to produce that Sort of Negligence which too frequently attends a Belief that there is nothing to fear.

Thus much however is certain, and the contrary is not pretended, that the Troops which arrived at Negapatam, *to be employed there*, as it is now ſaid, *for the Protection of the Company's Settlements on that Coaſt*, were never *ſo employed*; but if diſembarked, as is ſaid, were all ſpeedily reimbarked and forwarded to Bengal.

One cannot here but admire it as a wonderful Incident, that the Dutch, arriving *in obedience to their Orders* at Negapatam, ſhould inſtantly find Reaſon to abandon their original Object, and proceed to that very Place to which the other Part of the Armament, *contrary to Orders*, and *without knowing* any thing of the ſecondary Object to which the Governor of Negapatam was inſtructed to attend, *had been before driven by Storm*.

That the Armament from Batavia, or at leaſt that Part of it which touch'd at Negapatam, was firſt deſtined for that Coaſt, is literally true, we doubt not; and why it was firſt ſent there, if it is not already, will preſently be, ſufficiently explained: But that this Armament was *wholly*, *as is inſiſted*, or even *partly* intended to be *firſt* or *at all* employed there, is a Propoſition which, though we could not ſhew it to be falſe, we ſhould hope to be excuſed from aſſenting to, not only becauſe the Gentlemen Directors of the Dutch Company, who, if it were true, could prove it, have not done ſo; but becauſe the contrary, if there were no other Proof of it, might we think be fairly inferred from a Fact of which, as has been obſerved, there is no Diſpute, that is, that they were in no Sort employed on that Coaſt, but *all* immediately forwarded to Bengal.

Could the Governor of Negapatam have done this under Orders to employ *the whole* for the Protection of the Settlements under his Care from the Violences and Vexations to which they were expoſed in Conſequence of the War, and when that was done and the Circumſtances ſhould *no longer abſolutely require the whole Number*, then, and *not before*, to ſend *not the whole* but *a Part* of thoſe Troops to Bengal? This Gentleman's Conduct ſeems to evince one, if not both, of theſe Things, that the Caſe which is ſuppoſed to have given riſe to this Armament at Batavia did not exiſt, and that no Reinforcement *was wanted* for the Protection of thoſe Settlements; or, if it were, that he had no *ſuch* Orders; for his Conduct is not to be reconciled with the

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the Cafe fuppofed, or with the Orders pretended; and yet we no where find him blamed either as having acted imprudently, or as having difobeyed the Orders fent him from Batavia. On the contrary, the Conduct of all the Servants of the Dutch Company, in the Plan, Direction, and Progrefs of this Expedition, is throughout attempted to be juftified.

Under thefe Circumftances, if we had Complaifance enough to believe without Proof, that an Armament *folely* employed at Bengal was not deftined for that Service, but for the Protection of the Settlements on the Coaft, where, in the Opinion of the Governor of thofe Settlements, it was ***not wanted***, we think we fhould be fingular in that Belief.

Thus the Queftion ftands on the Dutch Directors Report, to which we will proceed to add fome Facts that do not appear there, and to reftate others which, as we apprehend, are there mifreprefented, in order to prove, as far as a Matter fo induftrioufly concealed can be proved, that *Bengal was the real Deftination* of this Armament.

The Facts alledged, as affording Reafons for fending it to the Coaft of Choromandel, are the Infults fuppofed to have been received by the Dutch on that Coaft. That which the Englifh are charged with is ftated thus: " At the Clofe of the Year 1756, " fay they, the Englifh Council at Madras poffeffed themfelves of the Factory which " the Dutch Company had at Teganapatam, and having obliged the Company's " Factor to retire, it was demolifhed under *Pretence* that this Factory might be " detrimental to the Englifh, if the French became Mafters of it, with a Promife " neverthelefs to build them another after the Peace."

We cannot conceal our Surprife at this Reprefentation of an Incident which from our Advices appears thus: On the 29th of November 1756, the Governor and Council of Fort St. George being apprehenfive that the French would, as they afterwards did, attack Fort St. David, and knowing the Situation of the Dutch Houfe at Teganapatam, which over-looked the Fort from a Hill at the Diftance of about feven hundred Yards, judged it impoffible, as it apparently was, to defend the Fort if the French fhould poffefs themfelves of this Houfe, and therefore to prevent a detrimental Ufe of it, ordered it to be demolifhed: " A Precaution, as the Dutch " Directors on another Occafion obferve, equally allowed and indifpenfible." Before this was done, however, they caufed a Plan and Survey to be taken of it; and to prevent any real Caufe of Complaint, apologized to the Dutch Factor for an Act which he admitted to be neceffary, with a Promife to build him another Houfe after the War, and an Offer in the mean Time of a Houfe at Cuddalore, which is in the fame Neighbourhood, and where he might refide with equal Convenience to himfelf and his Principals.

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Accordingly a House at Cuddalore was immediately rented and repaired for him at our Expence, wherein he resided till, in Consequence of a Letter we shall subjoin,* another House in the same Village was *at the Request of the Directore and Council at Negapatam* purchased by our Servants of the Danish Missionaries at the Price of two Thousand two Hundred Pagodas, and accepted by the Dutch Factor *with the Approbation of the Government of Batavia*, in lieu of that which had been demolished at Teganapatam.

How the Demolition of this House in 1756, thus justified by Necessity at the Time, and thus compensated by a compleat Satisfaction for the consequential Injury to the Proprietors given and accepted as such in the following Year, could afford a just Motive for an Armament in 1759, we profess ourselves unable to conceive.

What Foundation there may be for their Complaints against the French we do not enquire, but if the Violences wherewith they are charged afford no better Reason for an Armament to be sent from Batavia to the Coast of Choromandel than that which is thus imputed to the English, we cannot but think that those Transactions afford no Credit to the Assertion, that such was the Destination of that Armament.

Here too it is to be observed, that whatever Colour the marching and countermarching of Armies near the Dutch Settlements might at other Times have afforded for sending Troops thither to protect them, there never was a Time from the Commencement of the War when such a Measure was less necessary than when the Government of Batavia is represented to have come to this Resolution, the War then appearing to be drawing to a speedy Conclusion, as the Fate of Arms had deprived us of all our Settlements on that Coast, except Fort St. George, which the Enemy were actually besieging with the highest Probability of Success.

That these Troops were not wanted there, is already sufficiently proved; so far otherwise, we have Reason to believe the Dutch had more Troops there at this very Time than were thought necessary, and that not only the whole Batavian Armament proceeded to Bengal, but it was actually accompanied by a Reinforcement from Negapatam. The Armament from Batavia was at first intended † to consist of one Thousand Europeans, with a Train of Artillery, and fifteen Hundred Bugguese. The Design was afterwards varied as to Numbers, and of Europeans, according to our Advices, ‖ only four Hundred sailed from thence. It was then given out that they were to be reinforced from Ceylon. It does not appear that

* *Vide* Appendix, No. 1. † No. 2. ‖ No. 3 & 5. B.

they

they touched at Ceylon; but, in Auguſt, ſix of their ſeven Ships, with three Hundred and fifty of theſe Troops, beſides Bugguefes, arrived at Negapatam : the reſt, having proceeded in the Viſiolet, reached Bengal the 30th of the ſame Month.

The whole Number arrived at Negapatam preſently proceeded to Bengal, and with them ſo many more as made in all ſeven Hundred, which was actually the Number that diſembarked on the 22d of November to take the Field under Colonel Rouſſel, as is ſtated in the Letter of our Preſident and Council, and not denied in the Report.

Far from wanting a Reinforcement on the Coaſt of Choromandel as pretended, it appears they had Troops to ſpare there for whatſoever Purpoſe it might be thought fit to employ them.

What now becomes of the Argument drawn from the ſeeming Improbability of a Fleet deſtined for Bengal being firſt ſent to Negapatam, the ſole Support of the Aſſertion that Choromandel and not Bengal was the Object of its Deſtination? The Advantage actually derived from this Deviation fully explains the Batavian Governor's Intention in directing it, and relieves us from the Neceſſity of thinking injuriouſly of his Underſtanding. We muſt however remark, that, conſidering the myſterious Manner in which theſe Tranſactions were conducted, a Circumſtance of this ſort could not have had much Weight, though we had been unable to account for it.

But we do not rely on this negative Proof only, that theſe Forces were deſtined for Bengal. The Report of their being ſo, which the Preſident and Council of Fort William mention in their Letter, without aſſigning their Reaſons for believing it, (not thinking it neceſſary, perhaps, after it had been ſo compleatly verified by the Event) and which the Gentlemen Directors of the Dutch Company therefore affect to conſider as an idle Report, ſpread apace after the Secret had once tranſpired, and was not only conveyed to Calcutta by our Servants from the different Parts of India, but was confirmed by ſeveral Gentlemen of Conſideration in the Dutch Factory at Chinſura, who, conſidering this Force as irreſiſtible, imprudently avowed what the more politick Government of Batavia had in vain endeavoured to conceal. Further, the Commanding Officer, whilſt a Priſoner, denying that he knew of his Deſtination to Bengal when he left Batavia, admitted that at *Negapatam he found* Orders *from Batavia*, in Conſequence of which he came on. Further ſtill, we ſhall ſubjoin a Letter † from Batavia, informing us about the Time of their ſailing from

† *Vide* Appendix, No. 2. C.

thence,

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thence, that they were to do what they did, "*To touch at Negapatam, and proceed to* "*Bengal.*" And we ſhall likewiſe ſubjoin further Proof,* that ſoon after the Fleet ſailed it was no longer a Secret at Batavia that they were deſtined for Bengal.

AFTER all this will it ſtill be pretended that this Armament was not originally fitted out for Bengal? The Gentlemen Directors of the Dutch Company, conſcious of the Difficulty of maintaining this Poſition, reſort to another, and inſiſt that, tho' this Armament were ſolely and directly intended for Bengal, there was no Reaſon to ſuppoſe, much leſs accuſe the Government of a Deſign to employ it againſt the Settlements or Subjects of his Britannick Majeſty—and then claim a Right, which they call a natural Right, to ſend Troops to Bengal, without giving any Cauſe of Offence or Umbrage to the Engliſh or other European Nations—which, however, in another Place, they qualify, by adding the Words, " As long as the Government or " Company's Servants in Bengal had never given them room to ſuſpect any offenſive " Deſigns againſt the Settlements or Subjects of his Britannick Majeſty."

THIS Claim of Right, and the Propriety of its Application to the preſent Caſe we will by and bye conſider. At preſent we will examine whether it be true, as is averred, that there was no Reaſon to ſuppoſe this Armament, though deſtined for Bengal, deſigned to be employed there to the Prejudice of the Engliſh Settlements.

HERE we cannot avoid obſerving that, if the Gentlemen Directors of the Dutch Company had thought it ſo clear, as they pretend, that they had the Right they claim to ſend theſe Troops to Bengal, and that there was no Reaſon to ſuppoſe a Deſign to employ them againſt the Engliſh, without which, as they contend, the Introduction of them could not be juſtifiably oppoſed by the Engliſh, the Pretence we have confuted of a different Deſtination was as unneceſſary as uncandid.

IT is further obſervable, that, though in the Memorial of the 14th of Auguſt, 1760, it is alledged, that the Hoſtilities complained of " had they ſucceeded ac- " cording to the Wiſhes and Endeavours of the Authors, would have tended to " nothing leſs than the total Deſtruction of one of his Majeſty's principal Settle- " ments in the Eaſt-Indies;" neither the ſaid Memorial nor the Letter accompanying it, to which the Report is intended as an Anſwer, charge that ſuch was the Deſign of the Government of Batavia in fitting out this Armament; it not being neceſſary, in the Opinion of the Letter Writers, to the Purpoſes of that Letter, to unravel more of the Dutch Deſign than they thought fit to avow: But ſince the

* *Vide* Appendix, No. 4.

Gentlemen,

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Gentlemen, presuming perhaps from the Letter Writers Silence, that they could say nothing on that Subject, have in a Fit of Bravery thought fit to introduce this Question, we will venture to pursue it.

To do this we must go back to the Times, when the Successes of his late Majesty's Arms had enabled us to re-establish our Settlements and revenge the Massacre of our Servants on the Tyrant Souraja Doula, and our Troops, in consequence of new Commotions, had delivered as well the Dutch as the English, from the Cruelties of his Government, and in his Place had assisted Meer Jaffeir Aly Khan to raise himself to the Dignity of Nizam, Subah or Nabob, of the Provinces of Bengal, Bahar and Orixa.

After all this, and when the Peace of the Country was re-established, and the Nizam quietly settled in that Station, some of the Dutch Factory (for we do not mean to impute to all what we believe many very much disapproved) envying the Reputation and Influence of the English at the Nizam's Court, and hoping to find their private Account in reviving the Confusion from which those Provinces had been so happily extricated, associated with others of a like Disposition, Members of the Nizam's Durbar,* and particularly with Coja Wazeed, a considerable Merchant, whose Enmity to the English will hereafter be accounted for, endeavoured to prejudice the Nizam and his Son, to look with an evil and jealous Eye on the English, insinuating that he was a Cypher, bearing the Name of Subah only, and that the English were aiming to be Subahs of the Country in Breach of their Treaty with him.

These Insinuations, groundless as they were (since had the English the Design imputed to them, what hindred them from carrying it into Execution, instead of supporting the Nizam in raising himself to that Dignity?) had at length, being often repeated, so much Effect, that they inclined him to listen to their Proposals; one of which was, that the Dutch should bring into the Province a military Force to join his, and curb a Power which was represented as so dangerous. In consequence of this private Negotiation, we have Reason to believe Dispatches were forwarded from Chinsura to Batavia, about the latter End of the Year 1758, which produced the Armament in Question. But during these Transactions, and while the Nizam was doubting, whether he ought to consider the English as Friends or Enemies, the Shahzada,† early in the Year 1759, advanced with a numerous Army to attack him; whereupon Governor Clive, not regarding, though well apprized of the Ingratitude with which the Nizam was half inclined to return the Obligations

* Council. † The Son of the late Mogul.

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confer'd on him, readily marched to Patna in his Defence, to which he owed his Deliverance from a Danger that must otherwise have overwhelmed him. This was such an Instance of Fidelity and Attachment on the Part of the English, as made him much ashamed of having listened to any Insinuations to the contrary.

After all this, when the Report of an Armament coming from Batavia first reached Bengal, several Gentlemen of the Dutch Factory, according to our Advices, not only acknowledged, that they expected it, but frequently boasted, that when it arrived, they, and not the English, would thence forward give Laws to that Part of the World; and we have now before us Letters and other Papers, * informing us, that the Dutch, in several Parts of India, while the Event was in suspence, and even at Batavia, after the Fleet had sailed, talked of this Armament as intended against the English, according to some, to drive them from Bengal, and according to others, they were not to escape so well.

That a Report so confirmed and pointed, of the Approach of an Armament, consisting of more than double the Number of Troops, both Europeans and Bugguese, the Dutch had ever there before, should very seriously alarm the Government of Calcutta, will not be wondered at, when it is remembered, that at this Time they had Reason to fear a Rupture between the two Nations in Europe; the Fleet was gone; and the greater Part of the Troops, which, in Conjunction with it, had so happily re-established our Settlements in Bengal, were absent at a very great Distance, on an Expedition to Golconda; a considerable Party had been necessarily left at Patna; and the Remainder, who composed the Garrison, were altogether inconsiderable. All Circumstances considered, there never was perhaps a more favourable Juncture for the Execution of whatever Designs might be formed to the Prejudice of the English Settlements in Bengal; they had in short every thing to fear, and scarce any Resources to hope for but what they found in their own Abilities and Resolution.

Under these Circumstances, the President and Council of Fort William might perhaps have justified their Conduct, on Principles of Self-preservation, if they had done what they could to oppose the Introduction of these Troops, though the Nizam, as well as the Dutch, had desired it, had that Case happened.

The Refusal of the Dutch to assist the Nabob Souraja Doula against the English, is urged in the Report as a *convincing Proof* that they had no Designs to the Prejudice of the English, or they would not have let slip so favourable an Opportunity of executing them. We shall presently have occasion to consider their Conduct at

* *Vide* Appendix, No. 5.

that

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that time more particularly. At present it will suffice to observe, that their assisting this Nabob, when he first required it, in his Design to extirpate the English (which seems, by what immediately follows, to be the Refusal alluded to in this Part of the Report) was not wanted to that End: The Nabob could and did effect that Business without them. Their Assistance, the second time it was called for, to oppose the Armament under Admiral Watson, such was his Force and such was theirs, must, as they well knew, have been ineffectual. Does their Refusal then to act against the English in the first Instance, when the Business *could be*, *was intended to be*, and *actually was* done without them, warrant any Inference as to their Intention, *when it could not?* or does their Refusal, even in the second Instance, when they were, *comparatively*, *weak* and the *English strong*, warrant an Inference as to their Intention, when the Case came to be reversed?

But to ascertain beyond Dispute what was the real Object of this Armament, we will subjoin several Letters,* written by the Directore of Chinsura to the Nabob, while the Dutch Ships were in the River, and conclude what we have to say on this Head with a Citation from one of those Letters, wherein he earnestly desires a Continuation of the Nizam's Favour, " As, says he, we are not able of ourselves " *to root out* our Enemies."

We shall now proceed to the second Question we proposed to consider, which is, who, in the Hostilities committed, were *the Aggressors*.

And here if it be true, as we think we have proved, that this Armament was fitted out at Batavia with a View to enable the Directore and Council of Chinsura to *root out* those whom, in their Letter to *their supposed Friend* the Nizam, they are pleased to term *their Enemies*, this Design is itself such an Aggression, as would abundantly warrant our Troops, considered as Principals, in every Thing they afterwards did to repel it.

But, as if this Design was more doubtful than we can think it, let us enquire what are those Acts which they call Hostilities on our Part, and under which they would justify the Hostilities, admitted to have been afterwards committed on theirs; since, if this Defence will not avail them, the Directors confess their Servants have been guilty of what their High Mightinesses the States General, in their Resolution, justly term very blameable Violences against the Subjects of Great-Britain.

That the Government of Calcutta resolved to do every Thing in their Power to prevent the Introduction of these Troops is most certain. For this Purpose they

* *Vide* Appendix, No. 6.

sent

ſent ſome of their own Troops, with thoſe of the Subah, to man the Batteries along the River, with Orders to ſtop and ſearch all Veſſels paſſing by, leſt they ſhould have Troops concealed in them. In Conſequence of this Reſolution and theſe Orders, all Veſſels were ſtop'd and ſearched. As it was not intended, ſo neither is it now pretended, that this occaſioned any further Interruption to the Dutch Trade, than the momentary Delay neceſſary to the Search. It is admitted their Merchandize was ſuffered to paſs freely; nor was a ſingle Boat detained, even of thoſe which were found to have Troops on board. The Troops only were reconducted to their Ships below: nor is it pretended that any Violence was offered them; or that they were any way ill treated, except in a ſingle Inſtance, which the Dutch repreſent as an unprovoked and unwarrantable Arreſt of two Gentlemen of their Factory, of the Names Zuydland and Trembley; who, as they were returning with ſome Effects of the Company's from their Ships in the River, were, as they ſay, ſtop'd by the Commander of the Engliſh Garriſon, forced on Shore, and ill-treated; as were likewiſe ſome Mallays in the ſame Boat. The Fact from our Advices appears thus: Theſe Gentlemen were the firſt who, in direct Violation of the Promiſe which the Directore and Council had made to the Nabob, were detected in attempting to bring up Part of the Troops from the Ships in the River. When their Budge-rows came near the Fort, they were ſtop'd and boarded by the Enſign on Duty, with two or three Seapoys, who were aſſured by one of the two Gentlemen, that they had no Troops on board; and that in the after-part of the Boat, the Door of which was ſhut, there were only Women. One of the Seapoys looking through, ſaw plainly there were armed Men: upon which the Engliſh Officer reproaching the Gentleman who had attempted to deceive him, deſired he would open the Door. Not content with refuſing to part with the Key, but angry perhaps at the Expoſtulation, he ſtruck the Officer; who in return put them both under Arreſt, and carried them aſhore, diſpatching inſtantly a Meſſenger to Governor Clive, with this Account of the Fact, and deſiring his Orders. On the Return of the Meſſenger the ſame Evening, they were both, by the Governor's Order, ſent back to their Budge-rows and releaſed. In the mean time the Seapoys open'd the Door, and diſcovered eighteen Bugguefe concealed in the Boat, one of whom attempted to ſtab a Centry on opening the Door, which he could only avoid by throwing himſelf on the Deck. Upon this they were likewiſe carried aſhore and confined till next Morning, when they were conducted down the River, and landed as near the Ship they came from, as the Party eſcorting them could ſafely approach. This is our Account of this Incident, the only one in this Part of the Caſe wherein we differ.

Such then are the pretended Aggreſſions on the Part of the Engliſh, which plainly appear to be nothing more than Precautions (whether juſtifiable or not will

be

be confidered hereafter) againft an apprehended Danger; and unaccompanied with any thing hoftile *in the Manner* or *in the Intention*.

In confequence of thefe Steps on the Part of the Englifh, the Directore and Council of Chinfura, it is faid, refolved, on the 10th of November, "to treat the Englifh "as they had treated them, *to ftop alfo their Veffels*, and *fend back the Troops* that "might be found on board, to the Places from whence they came, but *to let Mer-"chandize pafs freely*." Here then, in the Motives to this Refolution, we have a true Account of what the Governor of Chinfura *then underftood* to have been done by the Englifh, which agrees exactly with our Reprefentation of it, however it may now be aggravated or varied. In confequence of this Refolution, fay they, the Englifh Veffels were ftop'd on the 14th.

Now, fuppofing for a Moment they were warranted, by what had paffed, to come to this Refolution, does the Refolution itfelf warrant what was done, as it is faid in confequence of it? To do as they had been done by is the Subftance of the Refolution. The Englifh had ftop'd their Veffels only while they fearched them, and took out the Troops, if any, without the leaft Infult to their Flag. The feven Englifh Veffels in Queftion are admitted to have been feized and detained till reftored by the Treaty, and had in fact their Colours ftruck,* and were in all refpects treated as lawful Prizes, though the Gentlemen Directors affect to doubt of the Circumftance of ftriking the Flags, which neverthelefs was admitted, and difavowed, as done without Orders, in the Treaty. The Troops found in the Dutch Veffels were fent back to the Places from whence they came, and the reft of the Crew fuffered to proceed with their Veffels wherever they pleafed. The Englifh Crew, without Diftinction, are admitted to have been all made Prifoners. The Dutch Merchandize was let to pafs freely. Every thing found on board the Englifh Veffels is admitted to have been detained. The Gentlemen fay indeed, that this was not done with any Intention to appropriate but to prevent a detrimental Ufe of it; and, to induce a Belief of this, they fpeak of thefe Veffels as wholly laden with Military Stores. The Fact however is, that moft of them were trading Veffels,† laden with various Sorts of Merchandize, from which no detrimental Ufe could be apprehended.

This Tranfaction therefore of the 14th of November, which the Gentlemen Directors confider as the firft Hoftility on their Part, cannot be juftified by the Pretence of any Thing prior of the like Kind, on the Part of the Englifh.

* *Vide* Appendix, No. 7. † No. 7. B.

THEY ſay further, that their Advices do not mention the ſtriking our Flags and burning our Purgannaes* at Fulta and Rajapore; and in reſpect of the Action of the 24th, at Chandernagore, they inſiſt, on the Authority of a Lieutenant, that the Dutch Troops did not, as we ſay, attack Colonel Forde, but were attacked by him; ſeeming to think this material, in order to ſhew, that though they were the Aggreſſors by Water, they were not ſo on Shore. If we comprehended the Uſe of this Diſtinction, and thought it material to authenticate thoſe Facts, as ſtated in the Preſident and Council of Fort William's Letter, we would follow the Gentlemen into that Detail; but, apprehending, as we do, that, when we have eſtabliſhed the Fact of one open Hoſtility which cannot be juſtified, we have done all that is neceſſary to determine the Queſtion, who were the Aggreſſors, we beg Leave to decline ſo uſeleſs a Taſk.

IF we are right, in thinking the hoſtile Seizure of our Ships by the Dutch on the 14th of November ſo diſtinguiſhable from the precautionary Meaſures concerted and executed by the Engliſh before that Time, as to receive no Colour of Juſtification from thence, perhaps this Queſtion need be purſued no further: even the Juſtification of thoſe Meaſures, on our Part, conſidered only as relative to this Queſtion, might be ſpared us. This, however, for another Reaſon that will appear, we ſhall not omit. But, before we proceed to it, we will ſtate ſome previous Proceedings of the Dutch, in order, among other Purpoſes, to ſhew that the Tranſaction of the 14th of November was not a raſh and unadviſed Step; the Light in which the Dutch Commiſſaries repreſented it on the Treaty, in order to have ſome Colour of Excuſe; but, on the contrary, the Reſult of Premeditation, Preparation, and Deliberation.

THAT, on the firſt Intimation of the Approach of this Armament, the Nizam ſent the Dutch a Perwanna † forbidding it—That the Directore and Council of Chinſura returned him a ſolemn Promiſe of Obedience—That on the Arrival of the firſt Ship he repeated his Perwanna, and they their Promiſe, with an Aſſurance, that ſhe would ſoon depart, waiting only for a Supply of Water and Proviſions—are Facts ſtated in the Letter, and not denied in the Report. Their Proceedings however very ill accorded with their Promiſes. Inſtead of ſending the Ship away, they attempted all poſſible Means to diſembark and bring up their Troops. In this Attempt Meſſ. Zuydland and Trembley were detected, as has been mentioned: This happened on the 29th of September.

A few Days before this the Subah came down to Calcutta, to confer with the Preſident and Council on the proper Meaſures to be taken in this precarious Situation

* Villages. † An Order under the Nizam's own Hand.

of

of Affairs. Whilſt he was there, the reſt of the Dutch Armament arrived; and the Government of Calcutta now heard from all Quarters of their Preparations for Hoſtilities. Even their Friend Coja Wazeed, who was then at Houghly, informed the Nabob in a Letter about this Time, "That the Dutch had relinquiſhed all "Thoughts of Trade for the preſent, and employed themſelves Day and Night "ſolely in repairing their Forts, *&c.*" The Nabob now appeared inclined to treat them with great Rigour, and actually propoſed to the Preſident and Council to expel them from his Country for ever. This the Preſident and Council conſtantly oppoſed; the Preſident repreſenting to him that, though the Behaviour of the Dutch had been, in many Inſtances, unkind and ungrateful, yet, as the two Nations were in Amity in Europe, they had not the leaſt Deſire to diſturb, much leſs deſtroy, their Trade; that the Continuance of theſe Diſturbances would be as prejudicial to the Intereſts of the Company, as to the Tranquillity of the Country; and, in fine, that nothing would give him more cordial Satisfaction, than a ſolid and laſting Reconciliation, to which he, with the reſt of the Council, were ready to contribute to the utmoſt of their Power.

In Conſequence of this Deſire in the Engliſh, to reſtore and eſtabliſh the Peace of the Country, the Subah left Calcutta in the ſame Diſpoſition, declaring he would admit the Dutch to an Audience, and hear what they had to propoſe. For this Purpoſe he ſtaid ſome Time at Houghly in his Return, where their Deputies had frequent Acceſs to him; but inſtead of co-operating to that deſirable End, they abuſed the Favour the Government of Calcutta had procured them, and tried all poſſible Means, not only to prevail on him to withdraw his Prohibition, but, by groundleſs Surmiſes, bold Aſſertions, and artful Inſinuations, to turn his Reſentment on thoſe, to whom they owed the Opportunity of making this ungrateful Return. To this end they magnified the Power and Influence of the Engliſh; hinted that the Difficulties he felt in raiſing Money to pay his Troops were ſolely imputable to them; that they were the Cauſe of the general Poverty and Diſtreſs of his Country; and that he would ſoon be incapable of oppoſing his Enemies, with an Aſſurance, that if he would favour them in this Inſtance, they would *ever be at his Command*; they even hinted at the Negotiation we have mentioned (which they actually called an Agreement) as having encouraged them to take this Step, and conclude with deſiring his Favour, as that without which they could not *root out* their Enemies. To prove all this, we ſhall ſubjoin* the Directores Letters without reſerve.

One of theſe Letters expreſſes a Notion, equally injurious to Truth and to the Nabob's Dignity, *viz.* that his Prohibition aroſe from an Agreement he had been compelled to enter into with the Engliſh whilſt at Calcutta, which they tell him he

* *Vide* Appendix, No. 6.

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is not bound to abide by; and in the ſame Letter they aſſert that the Army was ſent for in Conſequence of his Directions.

The Notion of ſuch an Agreement between the Nabob and the Engliſh is refuted, by obſerving that his Orders had been given, and almoſt all the Steps they complain of taken in Conſequence, long before he came to Calcutta; and we had repeated and ſolemn Declarations from the Nabob, that the Aſſertion of ſuch an Agreement between him and them was equally falſe. This Letter gave him great Offence, and it appears, by the Beginning of the next, that he returned a very angry Anſwer to it.

When they found they could not ſucceed in this Negotiation, but on the contrary received a peremptory Refuſal, with an Aſſurance however of Protection in their Trade, they pacified the Nabob by repeating their Promiſe, that the Ships and Troops ſhould depart as ſoon as the Seaſon would permit.

Satisfied with this Aſſurance, the Nabob treated their Deputies with great Civility, gave them Keilants or Veſts of Honour, and then returned to his Capital, where an Apprehenſion of another Irruption of the Shauzada required his Preſence; having firſt delivered to our Vaqueel a Copy of the Arzee or Petition † preſented to him by the Dutch Deputies, and of his Anſwer, which we ſhall ſubjoin.

The Government of Calcutta, knowing that the Reaſon aſſigned for the Dutch Ships ſtaying longer was falſe, as the Seaſon favoured an immediate Departure, did not give more Credit to the Promiſe than it deſerved. No ſooner was the Nizam gone than the Dutch Council pretended they had carried their Point with him, had his Conſent to bring up their Ships, and even expected his Aſſiſtance if the Engliſh oppoſed them; and their Deputies abuſed his Civility, by wearing and appealing to their Keilants, as a Confirmation of what they aſſerted. This had its Effect in creating Miſunderſtandings and Jealouſies, in encouraging ſuch of their own People as were before unwilling to concur in their deſperate Projects, and intimidating the Inhabitants of the Country, but it did not deceive the Government of Calcutta. They judged however from all this, that the Government of Chinſura were determined to perſiſt in their Scheme, which was confirmed by Intelligence, that they were enliſting Troops in all Parts of the Country, and not content with theſe, had actually negotiated, * even while the Nabob was among them, with Monſieur Courtin, who had the Direction of what remained of the French, after the Reduction of their Settlements, deſiring their Aſſiſtance againſt their common

† *Vide* Appendix, No. 8. * No. 9.

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Enemy the English: and he accordingly compelled his People, by witholding their Subsistance Money, to enlist with the Dutch, for which Purpose he sent them down to Chinsura in small Parties, to prevent Suspicion.

While this was doing in the Inland Parts of the Country, some of the Council of Chinsura were employed in drawing and pestering the Government of Calcutta with long and unintelligible Remonstrances, intending perhaps to embarrass them and divert their Attention, from the Danger that threatened their Lives, as well as the Settlements under their Care, to an ill timed Defence of their Conduct. The President and Council of Calcutta did not think this a Season for Altercations of that sort; well knowing, that other Members of the Council of Chinsura were at the very Time employed in gaining Intelligence of the State of our Works, and the Disposition of our Troops, sending Spies into our Fortresses, debauching our Soldiers, and tempting them to desert, and forming Plans of Attack on the Intelligence thus procured. A very full Report of this Kind was made to the Directore in a Letter of the 5th of November from Mr. Schevichaven, one of the Council of Chinsura (and with Mr. Vernet, the principal Authors of this Enterprize) which he prefaces by saying he left Chinsura for these Purposes, on the first of that Month, lays down a Plan for a Storm, and concludes with an Offer of his Person to be further employed *in the intended Expedition*. Of this Letter we shall subjoin * a Copy, as also of a Plan for the Attack of Calcutta, and of the Resolutions of a Council of War held on board the Ulissingen the 17th, settling the Method of attacking our Ships, clearing the Shore, and disembarking the Troops, assigning to each Ship its Station and Employment, and providing against every Incident that could be foreseen as likely to happen in such an Enterprize.

These Papers (the Originals of which were found in a Pocket-Book belonging to Colonel Roussel, the Commanding Officer, on the Field of Battle) afford full Proof that the Hostilities afterwards committed were not accidental or involuntary, but the Consequence of previous Resolution; and the first proves further, that this Resolution was formed much earlier, and fixes the Imputation of an hostile Intention, at least as far back as the 1st of November; that the Seizure of our Ships therefore, on the 14th, was not the Consequence of any such Resolution, as is stated of the 10th, or even of the Paper of the 7th, which in the Report is called a Protest, though (as well from its Contents as from its being communicated, as mentioned in the Report, to all the other Europeans settled in Bengal) it seems rather a Declaration of War; but that, whatever Resolutions or Declarations of that sort there were, they, as well as the actual Hostilites which ensued, all proceeded from a settled Intention of a much earlier Date. It appears then that the Hostilities intended and

* *Vide* Appendix, No. 10.

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committed by the Dutch were ſuch as could not be juſtified by the prior Acts of the Engliſh, even ſuppoſing thoſe Acts themſelves unjuſtifiable. On the contrary, if the Engliſh, either in ſtopping or ſearching their Veſſels, or in ſending back the Bugueſe, found on board, or in any other Part of their Conduct, had acted improperly, the very Treaties they now ſtrangely appeal to point out their *proper* Remedy, and expreſly condemn and prohibit *that* to which they thought fit to reſort. The Article of the 8th of March, 1675, which they cite largely and ſeem to rely on, expreſly provides that, " In caſe any Difference ſhall ariſe, or any Injury or Violence " be committed, or be pretended to be committed, on either ſide, it ſhall " not be lawful for the Company ſo injured to commit any Act of Hoſtility in " Revenge for the ſame; but the Dutch Eaſt-India Company, being the Party " injured, ſhall complain to the King, and the Engliſh Eaſt-India Company, in the " like Caſe, ſhall apply to the States General." We could not but be ſurpriſed to find this Treaty cited in the Report, it having been ſo flagrantly violated by thoſe very Acts, which the Report was intended to juſtify.

Having thus ſhewn that the Acts complained of and inſiſted on by the Gentlemen Directors of the Dutch Company, as juſtifying the Conduct of their Servants, are inſufficient for that Purpoſe, even ſuppoſing thoſe Acts unjuſtifiable; we will now proceed to ſhew, that, far from any Aggreſſion on our Part, or any Thing that could juſtly provoke Hoſtilities, the Acts wherein the ſuppoſed Aggreſſion conſiſts, did not afford a juſt Ground *even of Complaint.*

We apprehend nothing is more indubitable than that, during a War between the Engliſh and French Nations, the former had a Right to ſtop and ſearch the Veſſels of the Dutch, or any other neutral State, as well in this River as elſewhere; and how the Plea of its being a neutral River, which it certainly is, as between the Engliſh and Dutch, applies, we do not comprehend, ſince it ſurely is not more neutral than the High Seas, where this Right is exerciſed every Day without Diſpute. Nothing was more likely to happen at this Time than a Viſit from the French; the Exerciſe of this Right therefore was, on that Account, a prudent and neceſſary Precaution.

This however we ſay, rather becauſe the Right is claimed in the Letter and denied in the Report, than from any Opinion that it is material in the preſent Caſe, ſince our Servants never pretended to extend it, as the Report alledges, to the treating the Ships as they thought proper, or even to juſtify the taking out and ſending back the Bugueſe in the Dutch Service; nor did they claim, in their own Right, any Authority to oppoſe the Introduction of Dutch Troops, ſuppoſing there was no Reaſon to ſuſpect they came as Enemies to them. All this was done in a Character which

which equally justifies the stopping, searching, and every other Measure necessary or proper to prevent the Introduction of those Troops; that of Friends and Allies to the Mogul, and to the Subah Jaffeir Aly Khan.

This brings us to the Questions of Right, which are, first, *Whether the Dutch had a Right to introduce these Troops*; and secondly, if not, *whether the English might*, at the Nabob's Request, *assist to hinder them*, without infringing the Treaties which subsist between Great-Britain and the Republick.

First, Then, the Dutch claim an unlimited Right of sending Troops to Bengal; and they make it out thus: The Mogul, say they, is the Sovereign of the Country, and we derive from him, under repeated Phirmaunds, a Right to "a free Navigation of the Ganges to bring in *Troops* and Effects to our Factories, and to carry them from thence to other Places," and this Right we cannot be deprived of without infringing the Phirmaunds of the Great Mogul, which the Nabob, *who is only Governor of a Province*, is not authorized to do.

As this Claim rests wholly upon Phirmaunds from the Mogul, it is obvious that the Gentlemen Directors should have annexed to their Report authentic Copies of such Phirmaunds, as some Evidence of their Existence. Not to rely on the Improbability of the Mogul's granting an unrestrained Right of bringing Foreign Troops into his Empire, a Right so apparently tending to subvert it, or even any Troops by which his own Authority or that of his Viceroy, which is in Effect his own, might be disputed; we who know something of the Phirmaunds granted to Europeans, the general Object of which is a Right to trade in the Mogul's Dominions in common with his own Subjects, and even that under some Restrictions, take upon us to deny, that any such Phirmaunds as supposed, authorizing the Introduction of Troops, and taking from himself and the Governor of the Province (as the Gentlemen are pleased to call the Nabob) the Right of allowing or prohibiting such a Measure, does or ever did exist: And if this Assertion be disputed, we call upon them to produce it.

The Gentlemen Directors, in hopes to obtain a Colour for this Claim by the Answer, ask by what Right we brought the Troops into Bengal, which we had there before the breaking out of the Troubles. We do not clearly understand, whether they mean to speak of the Troubles occasioned by the Tyranny of Souraja Doula, or those which were the Consequence of their Armament. If the former, we answer, that we, as well as the Dutch Company, have generally had a small Military Force there for the Protection of our Settlements and Servants against the Robberies and Riots so frequent in that ill-ruled Empire; and neither the Mogul nor

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nor the Nabob, the Expediency of ſuch a Meaſure being notorious, have ever oppoſed or diſapproved of it. For that Reaſon it was, that, in the Treaty between the Nabob and the Dutch, of the 5th of December, 1759, they are ſtill allowed a Force of 125 Soldiers, which is certainly a competent Force for the Purpoſe. But we poſitively deny, that, before the Time referred to, we ever introduced or attempted to introduce a ſingle Soldier againſt the Nabob's Prohibition. Had we conceived, we had a Right to do ſo, we ſhould never have ſuffered our Settlements to be expoſed to the Violences and Barbarities with which they were treated by the Tyrant Souraja Doula. That we had then a Force, from which he met ſo little Reſiſtance, was among the Conſequences of our Unwillingneſs to exerciſe a Right, however deſirable, to which we knew we had no juſt Title.

But if they mean to enquire, by what Right we brought thoſe Troops to Bengal, by which the Hoſtilities of their Servants were, as we have ſeen, repelled, we ſhall ſtill anſwer without reſerve: and our Anſwer is, that they were ſent thither, not to diſturb or endanger the Tranquillity of the Country in Time of Peace, but to proſecute a War, the Juſtice of which, on our Part, is admitted. The Event of that War, and the Treaties which have ſucceeded it, have not only made it expedient, but have given us a Right to continue thoſe Troops, and to ſend more in whatever Numbers we think proper. Our Arms conquered large Tracts of Territories, ſome Parts of which have, ſince the Times we are ſpeaking of, been ceded and confirmed to us by Treaties. By theſe Means, from having a Factory of Traders, without any Territory or territorial Right, reſiding in the Dominions and under the Protection of the Subah of Bengal, we have acquired a Territory, to which we have a Right to convey Troops, and to defend which it is abſolutely neceſſary to do ſo. A Military Syſtem, though long in Uſe with the Dutch Company in other Parts of India, was never before adopted by us. The Change here, whether to our Advantage or not, Time only can evince, was brought about without the leaſt Violation of the Rights of any other Nation, and the Meaſures producing it were rather of Neceſſity than Choice. The Rights we derive from it are accidental Advantages, if they are Advantages, of a ſucceſsful War, the Occaſion of which we wiſhed to have been ſpared. Had not our old Rights been trampled on, and our Houſes and Effects plundered and deſtroyed; had we not been driven to take up Arms, to recover Satisfaction for the one and re-eſtabliſh the other, as well as to revenge on the Tyrant the Loſs of ſo many of our Servants, whom he had coolly and wantonly murdered, our Settlements in Bengal would have continued to be, as they always had been, and as the Dutch Settlements there ſtill are, Factories or Places of Reſidence for Traders, having an indiſputable Right to trade there, but no Pretence to claim an Independency of the Subah, or a Right to uſe or bring any Military Force, without his Permiſſion.

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If then the Dutch Company had not the Right they pretend, of introducing Troops into the Province of Bengal, independently of the Nabob, it follows, that he, whether considered as Sovereign of the Country (a Character he certainly assumes, and in which the Government of Chinsura appear by the Letters subjoined to recognize him) or, as the Dutch Directors call him, Governor of the Province, had an undoubted Right to oppose their Entrance, with this Difference, perhaps, that in the first Character he might allow or refuse it; in the latter, refuse, but not allow without consulting his Master. In whatever Character he had this Right, we believe he will not be generally thought to have judged amiss in exercising it, to keep out so considerable an Armament, whether he regarded his own Safety or the Tranquillity of the Country. The Legality and Validity of his Prohibition is indeed sufficiently acknowledged by the Government of Chinsura: first *by their Conduct* in soliciting his Permission, promising Obedience to his Perwannas, labouring to excuse the first Instance of Disobedience, as accidental and involuntary, and afterwards repeatedly intreating him to withdraw it; as also *in express Terms* in their Petition and Letters subjoined.*

The next Question then, which is, *Whether the English might* at the Nabob's Request, if the Dutch had not this Right, *assist to hinder them*, without Infraction of Treaties, seems to be already answered: for if the Dutch Directore and Council, who guided this Armament, had so far forgot their Duty as to persist in an Attempt, which, if not in itself illegal, was clearly so after an express Prohibition from a Person, who (whether Sovereign, Viceroy, or even an inferior Magistrate, authorized to preserve the Peace of the Country) had competent Authority to prohibit it, is there any Pretence to consider the English, helping to carry the Laws of the Country into Execution, and assisting the Magistrate, at his Request, to enforce Obedience where it is due, as Violators of the Treaties of Amity between the Crown of Great-Britain and the States General? Independent of all Treaties with the Mogul or the Nabob, Obedience to just and lawful Orders is a Duty arising from that local Allegiance, which every Man owes to the Sovereign of the Country where he resides. Would not the English at Calcutta have been more justly liable to the Imputation of a Violation of Treaties, had they affronted the Justice and Dignity of their High Mightinesses, by supposing that an Attempt so circumstanced, could have their Countenance at the Time, or their Approbation afterwards?

Before we quit this Head we desire to observe, that though, by the ancient Constitution of the Mogul Empire, of which the Provinces of Bengal, Bahar and Orixa are a Part, the Nabob or Subah of those Provinces was nothing more than

* *Vide* Appendix, No. 8 and 6.

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the Mogul's Viceroy, yet, for many Years paſt, as the Strength of that Conſtitution has been gradually declining, the Subahs of theſe and other Provinces have been, in like Gradation, aſſuming an Independence of the Court of Delly; and the Shock which the Empire received, or rather the Subverſion of it, for it has never recovered, nor probably ever will, from the Irruption of the Perſians under Nadir Shah, has ſo far confirmed that Independence, that the Relation between the Nabob and the Mogul is at preſent little more than nominal. The Nabob makes War or Peace without the Privity of the Mogul, and though there appear ſtill ſome Remains of the old Conſtitution in the Succeſſion to the Nabobſhip, yet, in Fact, that Succeſſion is never regulated by the Mogul's Appointment, though the Perſon in Poſſeſſion is generally deſirous of fortifying a diſputed Title by the Mogul's Confirmation, which the Court of Delly, conſcious of its Inability to interpoſe more ſubſtantially, and deſirous of retaining an Appearance of Superiority, readily grants. The Nabob of Bengal therefore is *de facto*, whatever he may be *de jure*, *a Sovereign Prince*, or at worſt not a Viceroy, but a Tributary to the Mogul, there being ſome kind of Tribute ſtill conſidered as due from thoſe Provinces to the Mogul, though it rarely, if ever, finds its Way to Delly. It appears by the Directore's Letters that the Dutch as well as we conſider him in this Light.

It may not be improper to obſerve, that the Queſtion we are now upon would have been a very different one, had this Armament arrived at Bengal avowedly for the Purpoſe of *making War* againſt the Nabob, which the Gentlemen Directors do not ſtate to have been their Deſign, but, on the contrary, diſavow any Intention of making War. It cannot be *neceſſary* for us to conſider how the Queſtion would have ſtood *had this been* their Intention, ſince *it was not*; but, as many of their Arguments apply to *that Caſe*, and not to *the Caſe they make*, and as we wiſh to ſhew the Conduct of our Servants blameleſs, in reſpect of the Dutch Company, in every Light in which it can be conſidered, we *will ſuppoſe the Caſe thus varied*, though we might very well excuſe ourſelves purſuing this Queſtion further: deſiring however it may be remembered, that whatever Opinion it may be proper to form of the Queſtion, ſo varied, is immaterial to the Argument between us and the Dutch Company, being founded on a Caſe which does not exiſt.

In the Caſe we are now ſuppoſing, they might, if they thought neceſſary, call on us to diſtinguiſh, in order to make out *our Right to aſſiſt* the Nabob Jaffeir Aly Khan againſt *their* Armament, conſiſtently with our Denial of *any Right in them* to aſſiſt the Nabob Souraja Doula *againſt the Armament* under Admiral Watſon and Colonel Clive; but, taking the Object of their Armament to be as they ſtate it in the Report, we apprehend the Caſes we are deſired to diſtinguiſh have nothing

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in common; unlefs the taking part as Auxiliaries in a War can be compared to the affifting the Magiftrate to prevent an apprehended Danger in Time of Peace.

The Neutrality Admiral Watfon called upon them to obferve, as between the Englifh and French, which they likewife mention, can ftill lefs help their Argument, fince in this he only defired them to conform to the Intentions and Example of their High Mightineffes their Sovereigns.

But, had a War on the Nabob been their avowed Object, could the Englifh Company have affifted him without Infraction of the Treaties fubfifting between Great-Britain and the United Provinces? To anfwer this Queftion, we do not think it material to examine thofe Treaties more particularly, acknowledging, as we do, that whilft our Sovereigns are at Peace, the Subjects of either State are reftrained by Treaties, as well as by the Law of Nations, from committing Hoftilities againft each other; nor do we think it neceffary to fcan the Treaty, under which the Nabob claimed our Affiftance; but our Point is to examine and afcertain *the Motives and Grounds of fuch a War*, and thefe we muft look for in the Complaints alledged in the Report againft the Nabob Jaffeir Aly Khan.

That his Predeceffor, Souraja Doula, was a Tyrant, whofe fhort Reign was diftinguifhed by frequent and almoft conftant Acts of Injuftice, Violence and Oppreffion, not only againft the Englifh, but the Dutch, and all the other Europeans fettled in thofe Provinces, as well as his own Subjects, is a Truth which we believe will not be difputed: And yet it is obfervable that the Dutch Company brought no Armament to refift *him*, but fubmitted quietly. That not content with ruining our Trade, he actually, in the Month of June 1756, deftroyed our Settlements, and put to death, with Circumftances of Barbarity and Cruelty, great Part of their Inhabitants, is notorious. The Dutch and other Europeans, all of whom we believe were called upon by the Tyrant to affift him in this unjuft War, if fuch an unprovoked Attack on a handful of Traders, incapable of refifting him, merits that Name, having themfelves fo often fmarted under his Oppreffions, know too well that the immediate Caufe he affigned for his Refentment was one of thofe Pretences which fuch a Prince will never want, and therefore declined giving him the Affiftance he required, not from any Regard to Treaties between their refpective Sovereigns and his late Majefty, which the Gentlemen Directors would now have us underftand to have been the Motive with the Dutch, but becaufe they had all a reafonable Ground to apprehend it would be their own Cafe in turn; nay, he had actually a Quarrel with the Dutch and French at that very Time, on Account of their having, as he faid, enlarged their Works round their refpective Factories without his Leave. The Caufe of the Englifh againft Souraja Doula the Oppreffor, was the common Caufe

of

of all the Oppressed, at least, of all the Europeans settled in his Territories; and the giving him Assistance in his Design to extirpate the English would not have been more contrary to Treaty, good Faith and Humanity, than to sound Policy and common Sense. Indeed their common Interest, as well as their Alliance with us, required of them all not merely to forbear assisting him, and quietly see him perpetrating a Mischief, to which their Assistance was not wanted, but to lay aside an ill-timed Attention to little Quarrels among themselves, and unite to resist their common Enemy. Had they done this, the Destruction which befell the English would have been prevented, and the Dutch and French Companies would have saved those Sums which the Tyrant, who immediately turned his Arms against them, compelled them to pay him under the Name of a Fine; whether, as they say, for refusing to assist him, or, as he himself afterwards represented it to our Servants, for enlarging their Works without his Leave. The Gentlemen Directors do indeed alledge, that their Servants gave ours all the Succour in their Power on that Occasion, not distinguishing, whether they mean to speak of their Treatment of Individuals, or of their Attention to the Settlement, seeming therefore desirous of being understood to speak of both. That, after the Ruin of our Settlements, several of our Servants, who had escaped the Nabob's Fury, were, during the Interval between that Time and the Approach of our Fleet under Admiral Watson, treated with Friendship and Humanity by several Gentlemen of the Dutch Factory, is a Fact of which we are well informed: and Justice to those Gentlemen, to whose good Offices those Servants of ours were so much indebted, requires from us all due Acknowledgments. This kind of Succour we hope our Servants in India always have, and we trust they always will, on every Occasion, afford to the Dutch and all who want it. Inhumanity never has been among the Characteristicks of the English Company in India, any more than of the English Nation in any Part of the Globe. But that the Dutch at Bengal gave the least Assistance towards the Defence of our Settlements there we deny. On the contrary, in Answer to Applications from Calcutta for Men and Ammunition, the Directore and Council of Chinsura declared, that they were ordered to be neutral in all Disputes with the Government, and even afterwards, when those who escaped to the Ships requested a Supply of Provisions from Chinsura, they were first promised, but afterwards, in August, told the Nabob had forbid it.

To re-establish our Settlements and punish the Author of the complicated Mischiefs we have mentioned, and not merely, as the Report represents, to assert our Phirmaund Privileges, was the Design with which the English Armament under Admiral Watson entered the Ganges in the Month of December. Justice and every other Principle, that either ought to influence or commonly does influence the Conduct of Men, was so apparently favourable to this Enterprize, that had the Directore and Council of Chinsura complied with the Demand of Assistance the

Nabob

Nabob then repeated, Admiral Watson would have been well warranted to treat those as Enemies, who could be capable of acting a Part so unnatural and unjust in itself, and so equally contrary to the Interests of both Companies, and of their respective Sovereigns. The Success of the English Forces and the Treaty it produced certainly secured to the Dutch, as well as the English, personal Safety, and Freedom from those Exactions by which both Companies had frequently suffered, and which the Nabob, however disposed, was no longer in a Condition to support. Instead of acknowledging this Benefit, the Gentlemen Directors affect to complain of the Government of Fort William, for not procuring them, by their Interposition, a Reimbursement of the Money which had been extorted from them. In the Treaty of Peace, the Stipulations were of course confined to the Complaints of the Parties at War; and so treacherous and averse to the Performance of what he had stipulated was this Tyrant, that, far from listening to Intercessions from the English on Behalf of others, they had at last no other way of obtaining Satisfaction for their own Demands, or indeed of securing themselves against a second Attack, as unprovoked and as unwarrantable as the first, for which he was actually preparing, than by assisting the People of the Country, whom he had equally oppressed, to depose him.

In this likewise the Dutch took no Part, and therefore could have no Claim on the Successor for more than Justice. Let us examine then, whether they have any real Reason to complain, that *that* was denied them.

Sometime after the Accession of the new Subah, Governor Clive was desired by the Dutch Council to employ his Interest to procure them a Restitution of the Money extorted by Souraja Doula, which the Governor did very seriously labour to do; but received for Answer, that the Nabob did not consider himself as responsible for the Acts of his Predecessors, and further, were he so disposed, he was for the present unable for want of Money.

If it should be admitted, that the Nabob for the Time being is, in strict Justice, bound to repair all the Violences, Extortions and Oppressions, of all his Predecessors, we believe the Revenues of his Country, were they all appropriated to this Use, would prove a very incompetent Fund; but that a Compliance with the Demand in Question, as matter of Favour, though not of Right, was earnestly pressed, by Governor Clive, is most certain. That this Request was not continued, will not be wondered at, when we have added, what was soon known at Calcutta, that whilst the Governor was thus employing his good Offices in favour of the Dutch, the latter, by their Vaqueel or Agent at Muxadavad, were pressing the same Point, and with it soliciting an exclusive Grant of the Trade of Ophium and Saltpetre, and, further still,

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Leave to build a Factory at Banquabuzar, and to fortify it, to prevent Oppressions, which they pretended to have received, and to apprehend from the English.*

Such however were the Advices received at Calcutta in August 1757.

The Nabob having before, as he conceived, great Cause of Displeasure against the Dutch, much resented these Demands of theirs. The Cause of that Displeasure was this.

Every body conversant with Indian Affairs knows with how much Respect the Subahs of these and other Provinces, and indeed the Eastern Princes in general, have been accustomed to be treated by the European Traders settled in their Territories; that they expect frequent Presents; and exact, on all Occasions, a Submission which the greatest Princes in more civilized Countries neither expect nor would receive. The Dutch Factory, on the Accession of Jaffeir Aly Khan, and even after he was confirmed Subah by the Court of Delly, were so wanting in the common Civilities every where customary on these Occasions, that they forgot to congratulate him; nay, though he passed by Chinsura, they neither sent out any Sort of Compliment, nor even fired a Gun to salute him. This Neglect so long continued, the Nabob considered, and, judging by Rules formed on the Manners of his Country, rightly considered, as a gross Affront: And it being followed by Demands instead of Apologies, he expressed his Resentment in the usual Way, by giving Orders to stop their Trade every where; which was accordingly done for a very short Time, till they sent Ambassadors to acknowledge his Title and make him the usual Compliments, when he instantly took off the Restriction; and, that, according to our Advices, without extorting from them a single Rupee.

This was the only Interruption of their Trade, on the Part of the Nabob, which our Servants at Calcutta ever heard of, from his Accession till the Approach of the Armament from Batavia; unless his Grant of the Saltpetre Trade to us, which we will examine hereafter, can be so considered. Nor have we the least Reason to believe, that till then any Sort of Violence was offered them, or that the Dutch Factory had, or pretended to have, any other Ground of Complaint against the Nabob, on any Account whatsoever.

There being then, in Truth, no real Injury sustained by the Dutch Company from the Nabob, nor of course any just Ground for a War against him, why are not the English Company at liberty to defend an Ally *unjustly attacked*, the real Motive

* *Vide* Appendix, No. 11.

to

to which muſt be his apprehended Preference of them, in conſequence of his ſuppoſed Gratitude, in the Diſtribution of his Favours? Can it be pretended that the Laws of *Nations* in this Inſtance prohibit what the Laws of *Nature* poſitively command? We admit we could not, under Colour of a Treaty with him, juſtify a Conduct inconſiſtent with the Treaties ſubſiſting between your Majeſty and the States General: But is a Treaty, entitling him to our Aſſiſtance, in a Caſe ſo circumſtanced, any way inconſiſtent with thoſe Treaties? or, after having truly ſtated the Facts, and the Motives and Objects of all Parties, is it imputable, as an Inconſiſtency to us, that we defend the Nabob Jaffeir Aly Khan againſt an unjuſt Attack from the Dutch Company, after having inſiſted, as Admiral Watſon undoubtedly did, that they ought to lend no Aſſiſtance to the Nabob Souraja Doula againſt our Attack on him, which they allow to have been juſt? It is remarkable, that in the Letter they cite of Admiral Watſon, after telling the Government of Chinſura, what was the Object of the Armament he conducted, he inſiſts on *the Juſtice of the Deſign*, as the Reaſon why he perſuades himſelf he has no Oppoſition to apprehend from them or any other European Nation. It may be likewiſe worth obſerving, that we do not even now pretend to trace the Deſign of the Dutch Armament further than to the Dutch Company's Government of Batavia; whereas in the Caſe of the Engliſh Armament, conducted by the King's Officers, and compoſed of the King's as well as Company's Troops, the Government of Chinſura had clear Proof of its being a national Meaſure. Does it follow then, that becauſe an Aſſiſtance in the Caſe laſt mentioned would have been, as it certainly would, a Breach of the Treaties between the Republick and the Crown of Great-Britain, it muſt be ſo in the other Caſe, under Circumſtances ſo totally different? We preſume to think the contrary follows, and that the ſame Regard to Treaties and to Juſtice, which forbad the Dutch Company to aſſiſt Souraja Doula, required from us the Aſſiſtance we lent to Jaffeir Aly Khan; not that we had really concluded a Treaty, "intitling him to "expect Succours from us againſt thoſe who had undertaken or ſhould undertake "any Hoſtilities againſt him, and even againſt all others who, on what Account "ſoever, ſhould refuſe what he required of them, how unjuſt, ill grounded, or "even tyrannical the Demand might be," which in the Report is aſſerted to be the Subſtance of the Treaty as explained by Colonel Clive. That ſuch a Treaty ſhould have been concluded, or that Colonel Clive ſhould ſo repreſent it, are equally incredible; and ſpeaking from our Advices as to the former, and having his Authority for the latter, we preſume to ſay, that both Parts of the Aſſertion are abſolutely falſe: On the contrary, we rely on the Injuſtice of the apprehended Attack, as the Ground on which he claimed and had Reaſon to expect our Aſſiſtance.

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May our Servants then in the Case of *an unjust Attack* defend one Ally against another without Infraction of the Treaties with either? Had the Ally to be defended been an European, and this a Question between our Sovereigns, there would have been no Doubt of it.† But the Gentlemen seem to suppose his being an Indian varies the Case, they speak of the Natives of the Country throughout, as if they were hardly Creatures of the same Species, and actually seem to doubt whether a Treaty, with what they call a Country Power, is any way obligatory on Europeans, in Cases by which other Europeans may be affected. After declaring our Assent to the Maxim, that no such Treaty will justify the Servants of either Company in any offensive hostile Act, in Violation of the Treaties between our Sovereigns, not because Treaties with Indians are not to be executed with good Faith and to their full Extent, but because Treaties, requiring any Thing incompatible with those of our Sovereigns are such as, under the Powers delegated to us by our respective Charters, we are not warranted to make, and therefore if inadvertently made are really void, for want of Authority in the contracting Parties, we beg leave to add, that we always

† To assist others whom we see unjustly attacked, as far as we can do it with Safety, is a Precept of the Law of Nature, which all Writers on the Law of Nations admit to be likewise a Precept of that Law; whether with Grotius the Law of Nations is considered as distinct from the Law of Nature, or with Hobbes and Puffendorf as the same Law receiving this or that Name from its Application to the Case of Individuals or Communities. Where the Injured are our Friends or Allies, this is a Duty of still higher Obligation. *Qui non repellit injuriam a socio, si potest, tam est in vitio quam ille qui facit*, says St. Ambrose as cited by Grotius; and in the Opinion of that great Lawyer, a Treaty of Alliance with a Prince from whom an unjust Attack proceeds, though it even contains an Engagement to assist him, will not excuse the non performance of this Duty, much less intitle him to Assistance in such Attacks: *Pactiones autem tales ad Bella quibus justa Causa non subsit porrigi haud posse diximus alibi—Defendendus autem socius est etiam contra alium itidem fœderatum nisi priore fœdere aliquid specialiùs convenerit.* Grot. *de Jure B. & P. l. 2. c. 25. sec. 4.*—To the same Purpose another eminent Dutch Lawyer of our own Times, Bynkershoek, in his *Quæstiones Juris Publici*, says, *Si duo mihi fœderati se invicem aggrediantur ex fœdere satisfaciam ei qui justam causam habet*, for, says he, a Treaty requiring Assistance in War supposes, though it does not express, the War, on the Part of the Ally who claims the Benefit of the Treaty, not to have arisen *ejus culpâ aut injuriâ. Quamvis autem palam non exprimatur semper tamen intelligitur hæc tacita Pactorum Exceptio, quam et Grotius probavit nec scio esse qui dissentiant.* Bynk. *l. 1. c. 9.* It may be observed, that Grotius qualifies his Position with the Words *nisi priore fœdere aliquid specialiùs convenerit*; which Bynkershoek very judiciously omits: for it is not to be supposed that any Princes would be so profligate as to contract in Terms to withold Assistance from whomsoever either of the contracting Parties should causelesly and unjustly attack; and, on the same Principle on which a Treaty requiring generally Assistance in War is to be construed with an Exception of those Wars wherein it would be unjust to assist, a Treaty requiring a general Forbearance of Assistance is to be understood as if those Cases in which that Forbearance would be unjust had been expresly excepted. Although therefore there should be found among such of the many Treaties between Great-Britain and the United Provinces as extend to India (for some of them, and particularly that of Breda, to which they now appeal, they have formerly contended do not) loose Expressions, importing that the Subjects of either State were not to counsel or aid the Enemies of the other, this could not restrain the Company's Servants from assisting, or engaging to assist, the Nabob against an unjust Attack. That the Dutch Company either do not think themselves restrained in this Article, or if they do, disregard the Restraint, appears most evidently in the general Tenor of their Conduct: a striking Instance of which, to go no further, may be found in what is herein after mentioned of their Alliance with the King of Bantam, and its Consequences.

have

have considered the Treaties we are authorized to make (and we have never knowingly ratified any other) in common with all our other Contracts, as equally obligatory on us, whether the Parties we contract with, or those with whom we may have to do, in consequence of our Contracts, are Europeans or Asiaticks; apprehending, as we do, that the Principles of Justice, requiring a due Observance of Treaties and a due Performance of Contracts, have better Foundations than in any Circumstances of Time or Place.

The Gentlemen Directors of the Dutch Company, whose Opinions seem to vary with their Interests, appear on this Occasion to insist, that regarding the Ties of Peace and Friendship subsisting between the Crown of Great-Britain and the Republick, the Subjects of either could in no Case assist the Nabob against those of the other, but that every such Assistance, independent of all Circumstances, and without Regard to the Question, whether the Attack on him were right or wrong, is necessarily a Breach of those Ties; forgetting perhaps, or supposing us to have forgotten, that the very reverse of this Proposition has been on other Occasions maintained by them. The Difference is so striking, that having taken notice of what the Sentiments of the Dutch Company now are, we hope to be excused a short Digression to shew what they have been.

When the English Company complained, not that an Attack of theirs had been *repelled* by the Servants of the Dutch Company, but that they had, without any Provocation, taken Possession of our Settlements, and actually expelled our Servants from the Dominions of the King of Bantam, the Answer was, that they did this in the Character of Auxiliaries to the Sovereign of the Country. It was a Matter in dispute between the two Companies, whether the Son who made good his Pretensions by their Assistance, or the Father, whose Claim (at least the Son was made to believe so) had been favoured by the English, was the Sovereign. The Fate of Arms deciding this Question in favour of the Son, it was alledged, that the Servants of the Dutch Company thinking this a good Opportunity to promote their Schemes, with a View to which they had, as was said, raised the Quarrel between the Father and Son, borrow'd the Name of the latter, as a Colour, to extirpate, which they actually did, a rival Settlement. In vain did the English Company remonstrate, that this was an Abuse of whatever Treaty of Alliance there might be between the Prince of Bantam and the Dutch Company, which could never authorize an Act so apparently unwarrantable between two Nations at Peace. In vain did they solicit even a Restitution of that important Settlement, which has never been restored to this Day. They answered, and we cite it from a Paper presented by the Dutch, Instructors on behalf of that Company to the Commissioners to

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whom the Dispute was referred,* a Copy of which is now before us, " That the " Government of Batavia was obliged to maintain and protect the King of Bantam " against all his Enemies, having really and effectually engaged so to do, that they " could not break their Word and falsify their Faith to accommodate the English " Company in Bantam, that this would be unjust and by consequence morally im- " possible, as all Things are which cannot be compassed with Justice and publick " Faith, which there is as much Obligation to keep with a Indian Prince, as there " is with the most considerable and most potent King of the whole Earth." †

Again, in answer to a Remark, which their Opinion of the Conduct of the Dutch in that Instance drew from the English Company, that nothing was more easy than to make War between any other Princes and their Neighbours, or their Sons or Brothers, and then take a Side on Condition to exclude the English and all other Europeans: they say, " That no Man in his Senses can doubt but that, ac- " cording to the Law of Nations, it is lawful for any Europeans to make Treaties " and Alliances with Indian Princes, which make a very considerable Part of Man- " kind, and that the Abuse which may be made of this is no more able to take " away the Liberty than the evil Use which European Princes may make, and do " very often, of their Alliances, can deprive them of the Right of making them " when they think fit." ‡ And throughout, in justifying the Conduct of their Servants in the various Stages of that Business, they consider it as sufficient to shew, that what they did was *what their Alliance required of them*. They infer in one Instance, from the Presence of one of the Prince's Servants, when the Dutch Soldiers shut up an English Warehouse, " that the Act was done by publick Authority, " that is to say, by that of the Prince." § In another, where they are charged with pulling down the Galleries and damming up the Windows of the English Factory, " that it was done by the King's Authority." ‖ And in another Place they say expresly, " that, tho' the King's Orders were put in execution by Dutch Soldiers, it " makes nothing against the Hollanders, who, *let the Case be how it would*, were not " responsible for the King's Orders." ‡

There remains but one Objection more to the Order under which our Servants acted in opposing the Entrance of the Dutch Armament, or to their acting in obedience to it, which is, that they dictated it. This is asserted in the Report without a Shadow of Proof, and it has been observed, that the Directore's Letter, in which this Suspicion was first broached, fixes a Time, a Month or two after the Order had issued. The constant Access to the Nabob which the Dutch had, not

* The Papers relative to this Transaction were collected and published under the Title of *An Impartial Vindication of the English East India Company*, &c. printed in London, 1688.
† *Vindication*, Pages 44, 45. ‡ *Ibid.* 45. § *Ibid.* 67. ‖ *Ibid.* 75. ‡ *Ibid.* 79.

only

only by the Permiſſion, but in one Inſtance, as we have ſeen, by the Procurement of the Engliſh, gave them Opportunities of knowing, as well from his Diſcourſe as from his Reſentment, that this Suſpicion was groundleſs. How different in this Inſtance, as well as the former, was the Conduct of our Servants from that of the Dutch in the Affair of Bantam, when the Engliſh Company urged that the King of Bantam was dependent on the Dutch, and that the pretended Orders from him, under which they attempted to ſhelter the Violences they had committed, were dictated by themſelves, and urged as Circumſtances to evidence this, that the King had never expreſſed any Diſpleaſure againſt the Engliſh, but on the contrary, even at the Time, deſired to talk with an Engliſh Officer, which the Dutch would not allow him. They admit the Fact, and deny it furniſhes any Inference of his Dependence, " for though, ſay they, the Dutch Chief ſhould have diſſuaded the King " of Bantam from his Deſign of ſeeing an unknown Perſon, for fear that in the Con- " dition wherein he was, encompaſſed by his Enemies, there ſhould be Snares laid for " him into which he might fall, could this ſhew the leaſt Slavery? The moſt power- " ful Princes ſometimes ſuffer themſelves to be governed by the wholeſome Counſels " of their Miniſters, and with much more Reaſon ought thoſe of their Allies to be a " wholeſome Conſtraint upon them." *

We however, as we cannot adopt the Doctrine, truſt we ſhall never be miſled by the Example, *to countenance* much leſs *employ* our Servants to *inſtigate* or *even aſſiſt* an Indian Ally in any unjuſt or oppreſſive Undertaking, whatever Advantage might reſult to the Company from the Succeſs of ſuch Undertakings, aſſenting thoroughly to the Obſervation we have cited, that " whatever is not to be compaſſed with " Juſtice and publick Faith, is morally impoſſible."

Thus have we endeavoured to ſhew, and we hope to your Majeſty's Satisfaction, that thoſe Acts of our Servants, which the Dutch Company urge as Aggreſſions on our Part, in Juſtification of the Hoſtilities committed on theirs, can in no Light be ſo conſidered; but on the contrary were merely defenſive Precautions, which, had they been unneceſſary or unjuſtifiable, would not have juſtified thoſe Hoſtilities, but were however in Truth both juſtifiable and neceſſary.

We will now enquire whether the Dutch Company's Complaints of the Conduct of our Servants, *after* they were driven to the unhappy Neceſſity of returning the Hoſtilities they were treated with, are better founded than their Imputation of thoſe Hoſtilities to our Aggreſſion.

* *Vindication*, Page 66.

After

After the violent Counſels at Chinſura, followed by the hoſtile Seizure of our Ships on the 14th of November, it was natural for the Government of Calcutta to conclude as they did, that the Report of a Rupture between his Majeſty and their High Mightineſſes the States General in Europe was true, or the Dutch in India would not have proceeded to ſuch Lengths. This Report, though thus confirmed since it happily proved falſe, would have been, as is obſerved, of no Weight to juſtify a *Commencement* of Hoſtilities; but we apprehend it has Weight, if it were wanted, to juſtify the Government of Calcutta, in avowing, as they did, that in Conſequence of theſe Proceedings, and the Belief they produced of a War in Europe, they would from that Day act as Principals. This however, without recurring to Reports which did not prove true, is abundantly juſtified by the Hoſtilities actually committed againſt them, and the ſtill further Attacks, with which they were then threatened, and which we have before proved to have been really intended.

Thus conſtrained to truſt their Safety to the Fortune of their Arms, the Abilities of our Officers, ſeconded by the Spirit and Reſolution of our Troops, encouraged and favour'd by the Juſtice of their Cauſe, procured them a compleat Naval Victory, followed by two others on Shore, the laſt deciſive; Events which the Inequality of Numbers, had it not been compenſated by other Conſiderations, afforded very little Reaſon to hope. This Superiority the Gentlemen Directors affect to diſpute. We as a Company, aſſociated for Purpoſes of Trade, are very little ambitious of Military Wreaths: On the contrary, we have Reaſon to be ſorry that our Servants have ever had Opportunities to gather them. But the Juſtice we owe to their Merit of this Kind, which diſcovered itſelf on that Occaſion, will excuſe from us a ſingle Obſervation, in Anſwer to what the Dutch Company alledge on that Head, and this is, that the Number of Priſoners, in the Caſe of the Naval Engagement, nearly doubled that, which the Gentlemen repreſent as the whole Number at the Beginning of the Action.

In Conſequence of theſe ſignal Succeſſes, the Government of Calcutta obtained for themſelves and the Country that Safety, which, through the whole Courſe of theſe Tranſactions, had been their ſingle Object. Chinſura, which muſt have ſurrendered on the firſt Summons, might, and, had there been the leaſt of a vindictive Spirit in the Victors, would, now have felt, what they had ſo much Reaſon to believe, Calcutta was deſtined to feel. If the Engliſh had any Deſigns, to the Prejudice of the Dutch Trade, they had now an Opportunity of cruſhing it for ever. The total Deſtruction of their Settlements in Bengal might have been added to the Miſchiefs, which the Authors of thoſe raſh and hoſtile Counſels have to anſwer for to their Principals. The unwarrantable Attacks, which the Engliſh had ſucceſsfully ſuſtained and repelled, led ſo naturally to this Return, that no other was expected.

That

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That this would have been the Fate of the Engliſh, had the Arms of the Dutch Company prevailed, was the general Opinion throughout India, founded on what had been done on other Occaſions, and on repeated Declarations of what was intended to be done on this. In ſo doing, the Government of Calcutta might have pleaded the Example ſet them, in the Treatment of their Countrymen at Bantam, Macaſſar, and many other Parts of India, where the Dutch Company's Troops had, in ſome Inſtances, under their own Colours, and in others, in the Character of Auxiliaries to the Sovereigns of the Country, effectually and for ever baniſhed the Engliſh Settlers.

Even this was not neceſſary. Nothing more was requiſite on the Part of the Engliſh, than to look on and ſee the Buſineſs done by others, who were ready and deſirous to do it, and even not without great Difficulty reſtrained.

The Nabob before the Engagement, on our Complaints of his double Dealing, founded on the Repreſentations of the Government of Chinſura of what had paſſed between him and them, irritated or appearing to be ſo, by their determined Reſolution, which could now be concealed no longer, to bring up their Troops in defiance of his repeated Orders, and their own repeated and ſolemn Promiſes of Obedience; and ſtill more at their Aſſertion that thoſe Troops had been ſent for with his Conſent, to aſſiſt him againſt the Engliſh, which he conſtantly denied, reſumed his Intention to drive them out of the Country, and declared to the Engliſh Agent at his Court his Reſolution ſo to do, as will appear by a Letter we ſhall ſubjoin.*

For this Purpoſe an Army was actually approaching under the Command of the Chuta Nabob his Son, whoſe Diſpoſition towards the Dutch Factory was ſtill leſs favourable, as may be collected from a Letter of his we ſhall likewiſe ſubjoin.†

Under theſe Circumſtances the Engliſh, equally intrepid in the Purſuit of Victory, and moderate in the Uſe of it, left all Reſentment and Animoſity in the Field of Battle, forgot all Provocations to a different Conduct, diſregarded all Examples ancient and modern, by which ſuch a Conduct might have been defended, and inſtantly reaſſumed the Character of Friends and Protectors of thoſe who had ſo recently and cauſeleſsly ſought their Deſtruction. Their Object now was ſuch a Plan of Pacification as was moſt likely to reſtore Things, as far as might be, to the State they were in before the Commencement of thoſe Diſturbances, and ſo to continue them. With this View they required nothing more for themſelves than an Acknowledgment of the Aggreſſion, and a Promiſe of Compenſation for the Damage, nothing being more

* *Vide* Appendix, No. 12. A. † No. 12. B.

 obviouſly

obviously just, than that this should fall on those who had occasioned it. These Points obtained, they agreed on a reciprocal Restoration of the Ships and Effects, and left to the Dutch Company the full and peaceable Enjoyment of their Trade, and every Privilege they could justly claim, without insisting on any Advantage to us or themselves, though they justly might, in return for the Dangers to which our Settlements and Servants had been exposed, and the Interruptions of our Trade in Consequence of these Commotions. With respect to the Nabob, they were no sooner desired to interpose to soften his Resentment than they undertook to do so, and in order to do it effectually, Governor Clive (who had once before diverted him from his Design of expelling them) came purposely from Calcutta to the French Gardens, to check the Impetuosity of the young Nabob by his Presence, and to employ his Influence in their Favour. Under that Influence a Treaty was agreed on between them, by which the Dutch promised to send back the Troops they had introduced, not to make War or any hostile Preparations in Bengal for the future, nor to entertain more than 125 European Soldiers in their Factories in that Country, to carry on their Trade peaceably and on the same Footing as formerly, and in case of Hindrance to apply to the Subah for the necessary Redress. These Regulations being settled and agreed to, the Prisoners were all released, the young Nabob drew off his Forces, the Peace of the Country, to preserve which the English had taken up Arms, being re-established, they lay them down again, content without any other Fruit of their Victory, and all Things went on in their old Channel.

We do not think it material to examine whether the President and Council of Calcutta were right or wrong, in considering the Dutch Prisoners, not as their Prisoners, but as Prisoners of the Nabob, since they were not detained a Moment on that Account, their Treaty with the Nabob being signed before the other was ratified, immediately on which they were released. It is to be observed however, that, on becoming Principals, the Government of Calcutta did not necessarily cease to be likewise Auxiliaries, and, that in the decisive Action on the Plains of Bederra, the Phousdar of Houghly was present, with a small Party of the Nabob's Cavalry under his Command.

The Gentlemen Directors of the Dutch Company now complain of these Treaties, as injurious to them, and as extorted from them. If by extorted, they mean the Terms are such as they would not, had the Fate of Arms been different, have submitted to, we do indeed believe it. But if they would be understood to mean, that the requiring their Assent to such a Treaty was, on the Part of the Victors, an unjust Advantage of their Victory; this we do not only deny, but insist on the Humanity, Lenity and Moderation, which appear in both those Treaties, as an irrefragable Proof, if there were no other, that nothing hostile or injurious to the Trade or Privileges of the

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the Dutch Company was ever intended or desired by the Government of Calcutta, since if any Thing of that sort had ever been proposed, it is not within the Compass of Accidents to present them with a fairer Opportunity to accomplish it. So far from profiting by this Opportunity, their own Treaty with the Dutch was confined to the Termination of this particular Dispute, and in that between the Dutch and the Nabob (with which the Government of Calcutta had nothing to do but as Mediators, and earnestly requested by the Dutch to be so) there is not an Article which has any other Tendency than to restore and establish the Peace of the Country, and that just Subordination and Submission to the Government of it, which is due from all who live under its Protection, without the least Violation or Diminution of any one Right or Privilege.

THE only Article that can for a Moment be questioned is, that which limits the Number of European Troops. Now, if we are not mistaken in the Position we maintain, that the Dutch had no Right to bring *any* Troops into Bengal, without the Permission, or against the Will of the Sovereign of the Country, then this, instead of a Restriction, is absolutely a Grant of a standing Permission to bring *so many*. But if it is to be considered as a Restriction, it is still no Hardship, since they are only restrained to that which was understood to be, and we believe was in Fact, about their usual Number, or, whether so or not, is fully equal to all the Purposes which the Dutch Company, who acknowledge that they have no other Right than what they hold from the Sovereign of the Country, and do not claim to be independent of him, can decently avow.

IF this Treaty, just and mild as the Terms of it are, was to be eluded, merely because it was brought about, by the Defeat of an Attempt to perpetrate the very Mischiefs, which it is intended to prevent in future, we fear few Treaties of Peace would bind; since we believe it will not be easy to find many, which both Parties would have acquiesced in before the War, or without a Restriction of some Claim, or a Provision against some Attempt, that had been, or was likely to be made by one of the Parties or both. Such is the Case of the present Treaty, wherein the Nabob's Right to govern, and the Right of the Dutch Company to trade, are reciprocally recognized, and all Pretences to disturb either are given up on both sides, with prudent Provisions to prevent a Breach of it.

WE will now consider the Complaints which the Dutch Company, after concluding what they had to say on the Subject of the Charge against their Servants, in the Memorial of the 14th of August, 1760, have thought fit to superadd and make a Part of their Report. The Object of these Complaints is Reparation of supposed Injuries occasioned by us, or our Servants, to the Dutch Company, and to private Persons dependent on it.

UNDER

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Under the first Head they introduce the Farm, which the Nabob Jaffeir Aly Khan, in April, 1758, thought good to grant to us, of an exclusive Trade in the Article of Saltpetre, under an annual Rent of 25000 Rupees, and a Delivery of 20000 Maunds of Petre at prime Cost. The Acceptance of this Grant by our Servants they complain of as injurious to them, and as inconsistent with that free Trade, to which they claim a Right under the Mogul's Phirmaunds.

In support of this Measure we might observe, that those Phirmaunds, *general* as they are, are not to be construed *universal*, but to be understood with this Limitation, that they do not operate to the Prejudice of any subsisting Right or Usage, much less of such Rights as could not be abolished without a considerable Diminution of the Publick Revenues. Whatever Article of Trade therefore has been ordinarily monopolized and granted in farm, it might be contended, may still be so enjoyed and granted without Infringement of those Phirmaunds: The Design of which was to admit European Traders to the same Freedom of trading with the Mogul's own Subjects, and surely not to a better. Now it is most certain, that this Trade of Saltpetre, though we do not find it was ever before granted in farm to Europeans, has been commonly so granted to Merchants of the Country, and particularly by Souraja Doula and his Successor, to the Merchant they name, and whom we have before had occasion to mention, Coja Wazeed, under the same Rent. The Discontinuance of the Grant to this Man in our Favour, disposed him to act the Part we have mentioned, and was the Source of that Enmity, which, had his Endeavours succeeded, must have been fatal to us.—From him our Servants, and those of the Dutch Company likewise, were accustomed to purchase the Saltpetre they sent to Europe, and this, though the Dutch Company now represent it as an Act of Oppression, was then submitted to, for any Thing our Advices mention to the contrary, without Complaint. Is it material then to them, if this Trade is farmed, whether we or a Merchant of the Country are the Farmer? surely not; unless our Servants had made a more prejudicial Use of it, which is so far from being the Case, that we learn from our Advices the Demands of the Servants of the Dutch Company have been constantly and regularly supplied, as far as the Quantity produced, with a reasonable Attention to our own Occasions, would enable us to supply them, and this at a much less Price than the Servants of the Dutch Company had been accustomed to charge their Principals before the Farm was in our Hands.

We might further support this Measure by the Example of the Dutch Company, who, under colour of Grants of this Sort, exclude us at this Hour, and have long done so, from many valuable Articles of Commerce in various Parts of India, and have formerly driven our Servants from Settlements we were once in possession of, the Contiguity of which led them to apprehend a Trade contrary to the Tenor of those

thofe Grants, and now actually difpute our Right of navigating Seas of an immenfe Extent, for no other Reafon than that they adjoin to Countries in which (though for the moft part to themfelves imperfectly known, or rather altogether unexplored) they pretend to have acquired the fole and exclufive Right of trading.

We might likewife avail ourfelves of the Arguments by which the Dutch Company have, at different Times, endeavoured to defend themfelves in making fuch Contracts, and might urge from the fecond Paper prefented by the Dutch Inftructors to the Commiffioners in the Difpute before-mentioned, the Anfwer then made to the Complaints of the Englifh Company on this Subject: "As to the Complaints, "fay they, which the Englifh Deputies have made throughout their whole Reply, "in relation to the Dutch exclufive Contracts with Indian Princes, the Dutch Com- "pany will be very well able to juftify in Time and Place that which it has always "maintained, and which it does ftill maintain concerning the Right of the faid "Contracts." *

Nay, we might go much further ftill, and infift on that *Right in the Nabob to grant*, which the Servants of the Dutch Company admitted, when they defired him to exercife it, and on that Right *in us to accept*, which they likewife admitted, unlefs the Cafe of the Englifh and Dutch Companies in this Inftance can be diftinguifhed, when they defired him to grant it to them. We fhould not do this Argument Juftice, if we only ftated, that the Dutch defired of him a Grant of the Saltpetre Trade, which had, as we have feen, been before enjoyed in farm. The Fact is, that they actually extended their Requeft to the Trade of Ophium, which had never been fo granted or enjoyed. A Grant of thofe two Articles of Trade they folicited, not only from Souraja Doula, of which we knew nothing till difclofed by their Attempt to explain it away in the Report; but, in the Month of Auguft, 1757, from Jaffeir Aly Khan. The Truth of this the Dutch Directors indeed difpute, and fay, "that their Servants have fhewn it to be falfe, by producing the Requeft itfelf, "which tended only to reprefent to the Nabob the Prejudice which his Grant to "Coja Wazeed occafioned to the Privileges of the (Dutch) Company, to obtain "the Liberty of purchafing Saltpetre at the firft hand, according to ancient Cuf- "tom, and to prevent this Farm from falling into the Hands of the Moors only, "and deprive them of the Power of putting what Price they pleafed on this Com- "modity to the European Nations, without a fingle Word in the faid Requeft, "from whence it could be inferred, that the Dutch Servants fought to appropriate "to themfelves the Saltpetre Trade in exclufion of the Englifh." The Gentlemen have thought fit to give this Account of the Contents of their Petition: We will

* *Vindication*, Page 108.

ſubjoin a Tranſlation of it as tranſmitted by our Servants; * from thence it will appear, that though the Dutch did not in Terms deſire an excluſive Grant, they deſired *a Preference in the Purchaſe* of theſe Commodities, averring that they were before intitled to a Preference, which was abſolutely falſe. As between the Dutch Company and the Nabob, a Preference in the Purchaſe would have been more beneficial for them than the ſole Right of purchaſing, ſince the former would not have been ſubject to the Rent which the Nabob reſerved on his Grant of the latter. As between them and us, whether they had an excluſive Right of purchaſing, or whether their Demands were to be ſupplied before we could begin to purchaſe, ſeems to be a Diſtinction without a Difference; ſince under either Title, they might, whenever they thought fit, engroſs the whole Produce of the Country. The Nabob then naturally imagined there could be no Injuſtice in reſpect of the Dutch in granting this Privilege to the Engliſh Company, to whom he was greatly obliged, rather than to the Dutch Company, who had no ſuch Claim to his Favour. Such however was the Moderation of our Servants, that they accepted only his Grant of the Saltpetre Trade, knowing that a Grant of Ophium would have diſtreſſed the Dutch Trade, and perhaps have totally ruined it; a Conſideration which, as the Conſequences to the Engliſh Company of a Grant to the Dutch would have been equally fatal, ſhould have reſtrained the Servants of the Dutch Company from ſoliciting it. The Saltpetre Grant, the Circumſtances we have hinted at led our Servants to think they might juſtifiably accept: and, as the Quantity made in the Country was, in conſequence of the frequent Interruptions of the public Peace, diminiſhed; as the Occaſion for this Commodity in their Mother Country, by the extenſive Wars ſhe was engaged in, was exceedingly increaſed; and, as we by the Terms of our Charter are bound to ſupply the Demands of Government by an annual Importation of Five Hundred Tons, a Quantity they found it not eaſy, under the then Circumſtances of the Country, to procure; the Nabob's Favour in this Inſtance was on all theſe Accounts very acceptable.

We however, who aim at being conſiſtent, and who have always upon juſt and ſolid Grounds, as we apprehend, diſputed the Dutch Claim of Right to make excluſive Contracts, and who had rather ſet a good Example than follow a bad one, hoping that the Peace of that Country is now thoroughly ſettled, and that in conſequence there will be as uſual enough of this Commodity to ſupply the Demands of both Companies, conſent to wave whatever Right we may derive from this Grant to the Prejudice of the Dutch Trade, and allow the Servants of the Dutch Company to purchaſe Saltpetre for them when and as they pleaſe, inſiſting no further on the Grant than to reſtrain the Servants of the Dutch Company from

* *Vide* Appendix, No. 11.

becoming

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becoming Factors for other European Nations, and supplying perhaps your Majesty's Enemies with a Commodity so essential to their hostile Designs, which, when we can do it with Justice, it surely behoves us to prevent. This Restriction the Directors of the Dutch Company cannot but perceive the Expediency of, and their High Mightinesses the States General, as Friends of your Majesty, will doubtless approve. The Concession we now make, the Directors of the Dutch Company must consider as a striking Instance of our Attention to their Interests, and we hope it will have its proper Effect on their Claims under similar Contracts.

Their next Complaint is on the Subject of the Cloth Trade, which (on the Authority of some annexed Translations of Letters in the Persian Language from the Gomastahs or Servants of a Moor Merchant, who deals with the Dutch, to their Master) they represent as having met with many Interruptions from the Gomastahs of other Moor Merchants who supply the English. It is surely too much to call upon us to answer for the Irregularities of the Gomastahs employed by the Moor Merchants with whom our Servants deal. There is no Pretence that any European upheld them in the Instances complained of. It is not impossible that these People, taking Advantage of the recent Disorders of the Government, and instigated by their Attention to their own Profit, should make use of all Means, and some of them unwarrantable, to get Bargains on which that Profit depends; but to suppose these Proceedings authorised or even connived at by the English, is what those Letters do not warrant: On the contrary, the Letter Writers agree in contradicting that Notion, and in advising their Master, as what seemed to them the properest Means of procuring Redress, to obtain Letters from the English, forbidding such Violences. The Gentlemen say that, on the Directore and Council of Chinsura's complaining to the English President and Council, they denied their Knowledge of any such Proceedings, but promised to give Orders concerning them. Indeed they add unjustly, that they afterwards took no Account of this Promise; unjustly we say, because one of the Letters, by which this Charge is supported, informs the Merchant, to whom it was addressed, that the Gomastahs of another Merchant in the Dutch Employ succeeded very well, "but for this, says the Letter Writer, he is indebted "to the Recommendation he obtained from the English Factor at Cossimbuzar, "requiring that his Affairs might be carried on in a peaceable Manner. It will be "necessary for you, say they, to take the same Method for us." Certain it is that the Moor Merchants and their Servants, whether they deal with the English or the Dutch, are too apt to use all the Means in their Power to impede each others Trade and promote their own; not, as we hope, that they have any Orders or Authority so to do from the Servants of either Company, but because they find their own Account in it. The English Gomastahs, as well as the Dutch, have been frequently hinder'd from procuring the Cloths they wanted by these Means. From our Advices on the Subject

Subject of the Complaint we are answering, we add, that the Cloths supposed to have been seized for the Use of the English were never sent to them, that they had even no Use for them, the Fabric being improper for the English Market, and that the Merchants with whom our Servants deal are frequently making the same Complaints, and whenever they are not punctual, alledge in Excuse that they cannot do their Business on account of the Dutch Gomastahs; that the Orders the Servants of the Dutch Company desired from our Servants to their Gomastahs were instantly dispatched; and in general that the Dutch Trade had never suffered less Interruption than in the Intervals of Peace under the Government of Jaffeir Aly Khan.

The only other Ground of Complaint the Dutch Company pretend to have, is the non Payment of a Debt they claim on account of a Convention between the Servants of the two Companies in 1729. After the most diligent Search, we cannot collect from our Advices sufficient Intelligence on the Subject of this Demand to form any Judgment concerning it; and, from the Loss of our Books and Papers in the Sack of Calcutta, we despair of getting a perfect Account of it from thence. But, if the Gentlemen Directors of the Dutch Company will be pleased to transmit to us the Particulars of their Demand, with Copies of their Vouchers, we will readily adjust it, and pay what, if any thing, may appear to be due from us, with the same Punctuality we have hitherto observed in the Discharge of all just Demands on us.

The Gentlemen Directors in the next place proceed to their second Head of Damages, those said to have been sustained by private Persons dependent on the Dutch Company.

The first of those concerns a Capture made by Admiral Pocock, which, they contend, was not, though condemned, a lawful Prize. We have no doubt but the Admiral, whose general Merit we know, and whose Justice we never heard impeach'd, will be able, whenever he is called upon, to justify his Conduct in this and every other Instance. The Gentlemen Directors should have remembered that those who are interested in a Capture said to be illegally condemned are, by the Laws of Nations, to seek Redress by a proper Application to the superior Courts of the same State, and that the concerned in this Ship, if they have been injured, are sure of full Redress in your Majesty's Courts, the Impartiality of which the Subjects of every neutral State in Europe must, during the present War, have often experienced. We hope to be excused in saying this, as our Regard to the Admiral, to whom we are much indebted, would not allow us to pass it over in Silence, though it is most evidently a Charge with which neither we or the Dutch Company have any thing to do.

The

The only remaining Article to be considered is their Claim of Reparation for the Loss of the Ship Ann. The Foundation of this Claim we will examine. The Circumstances we shall mention, which are not to be found in the Dutch Report, appear in the Papers subjoined to it.

It is true, as stated in the Report, that two Pilot Boats, sent by the Government of Chinsura to the Mouth of the Ganges, in the Month of May 1758, were stopt and prevented from proceeding thither by the Government of Calcutta; and it may be true, though our Advices do not mention it, that they were stopt a second time. It is true likewise that a small Vessel was lost in the River about the Time they mention; but it is as true that the English Pilots, who are by the Report represented to have looked on, when this Misfortune happened, without endeavouring to prevent it, being charged with this Inhumanity by a Protest from the Government of Chinsura, and who, had they been guilty of it, deserved, and would have met, the most rigorous Punishment, did, upon their Oaths, deny that they ever saw the Vessel or heard any of its Signals. It is true that the Government of Chinsura complained of the stopping these Pilot Boats, and protested for the Damages it might occasion. The Reason of stopping them was this; some time before they were stopt the President and Council of Calcutta, being justly apprehensive that the Absence of the English Fleet might tempt the French Admiral to conduct the Squadron he commanded to Bengal, and knowing that in that Event their only Hope of Safety consisted in the Difficulty of navigating the Ganges, had Recourse to all the Expedients in their Power to increase that Difficulty. With this View they requested the Government of Chinsura not to send any Pilot Ships into Ballasore Road, where the Pilots might be bribed or forced by the French to conduct their Fleet up the River; offering to the Government of Chinsura at the same time to take the Dutch Pilots on board English Sloops, or to give their own Pilots Orders to assist the Dutch Ships, if any should arrive. This reasonable Request was rejected, and the Dutch Pilot Boats came down the River; but the Government of Calcutta, thinking this a Step of the last Importance to their Safety, ordered them to be stop'd as has been mentioned. The Government of Chinsura, more fond of displaying on this and every Occasion their Talents in drawing Protests than attentive to the real Interests of their Principals, still refused to send any of their Pilots on board English Sloops: whereupon the Government of Calcutta, desirous of doing every thing in their Power to prevent any ill Consequence to the Dutch, gave Orders to the English Pilots to be equally careful of the Dutch Ships, if any should arrive, as of those of their own Nation. This continued till the 17th of June, when the Government of Calcutta, judging from the Advices then received, that the French Fleet was otherwise engaged, took off this Restriction the Moment they could do it with Safety. In the mean while a violent Storm arose, and, unhappily, the Vessel in question,

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attempting to come up the River at that Time, miſſed the Engliſh Pilots, and was loſt.

The ſtopping the Dutch Pilot Boats was one of thoſe Acts, which in other Circumſtances might have been juſtly complained of; but, in Caſes like this of imminent Danger, ſmall Infringements of the Rights of others, where apparently neceſſary to Self-preſervation, are, we apprehend, always allowed. An Incident, which has ſince happened, affords us a melancholy Proof (the Force of which we feel moſt ſenſibly) of the Expediency of this Precaution. For want of it in the late ſucceſsful Attack of the French on our Settlement of Bencoolen, where, as well as at Bengal, our Servants founded their Hope of Safety in the Difficulty of the Entrance, the French Armament was actually conducted into the inner Harbour by a Dutch Pilot, without whoſe Aſſiſtance it was thought impoſſible for them to have found their Way. Allowable however as a Meaſure of this Kind appears to us to be, for the Reaſons we have mentioned, we confeſs it is only ſo upon the Terms of doing every thing in the Power of thoſe, who are driven to the Neceſſity of uſing it, to prevent conſequential Injury, as far as it can be prevented, and to repair it where it can not. The firſt Part of this Duty our Servants certainly diſcharged, by the Offer which the Dutch Council would not accept, and by their Orders to their own Pilots. Whether a Caſe has happened in which they are to perform the ſecond is the Queſtion. Now if the Loſs of this Ship could have been prevented by the Dutch Pilots, *in their own Boats*, the Abſence of which was imputable to our Servants, and could not have been prevented by Dutch Pilots *in Engliſh Boats*, the Abſence of which was imputable to themſelves, the Loſs juſtly falls on us, as a Conſequence of our Servants ſtopping the Dutch Boats. But, if on the contrary the Loſs of the Ship is to be wholly imputed to the Storm, which ſeems moſt proper (as it prevented the Engliſh Pilots ſeeing the Veſſel or hearing its Signals, and as it appear'd the Maſter of her knew the River as well as any Pilot he could have had, and had uſually come up without any ſuch Aſſiſtance, which the Engliſh Pilots ſuppoſed he now intended of Choice, from the Circumſtance of not bearing down, in the uſual Manner, to one of their Sloops, which he ſays he ſaw, though the Pilots deny their ſeeing him); or if it might have been prevented by Dutch Pilots *in Engliſh Pilot Boats* as well as *in their own*, which we ſee no Reaſon to doubt; in the firſt Caſe the Loſs ought to reſt on the Owners, as proceeding from one of thoſe Accidents, to which all who have to do with that uncertain Element, the Water, are neceſſarily expoſed: In the ſecond, it ought not to be transfer'd to us, our Servants being deſirous of placing thoſe Pilots there whoſe Preſence would have prevented it, but to thoſe who rejected that Offer, and were therefore the real Cauſe of their Abſence.

Such

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Such then are the Complaints of the Dutch Company, and ſuch are our Anſwers; which we flatter ourſelves will, in your Majeſty's Judgment, remove all Colour for a Continuance of thoſe Complaints.

We might here in our Turn lay before your Majeſty an authentick Relation of a Series of Injuries ſuſtained by us and our Servants, from thoſe of the Dutch Company, and ſome of them of a much higher Nature than any of thoſe complained of on their Part; many of which have not yet been complained of, and others, though complained of, are ſtill unredreſſed.

But in going beyond the Subjects of the Papers tranſmitted to us, we ſhould loſe the Sanction of your Majeſty's Commands; and as we would not preſume, without Permiſſion, to interrupt for a Moment your Majeſty's Attention to the important Objects which engage it, ſo neither will we preſume to ſolicit that Permiſſion while we have any other Hope of Redreſs. At preſent therefore we forbear to trouble your Majeſty further on that Subject than to intreat your Majeſty's gracious Attention at ſome fitter time, in caſe this Redreſs cannot be otherwiſe obtained. We perſuade ourſelves however, that the Directors of the Dutch Company will concur with us, in a Deſire to examine impartially the Foundation of whatever Complaints either Company may tranſmit to the other, and to do compleat Juſtice by Compenſation or Puniſhment, as the Caſe may require. In this we have ſet them many Examples.

We hope it now appears to your Majeſty's Satisfaction, that the Conduct of our Servants has been irreproachable in the principal, as well as the leſſer Articles of the Report, and ſuch as can afford no Colour of Juſtification to the Violences committed by the Servants of the Dutch Company, which formed the Subject of Complaint, in the Memorial of the 14th of Auguſt, 1760. The Charge in that Memorial is well ſupported by the Letter to which it refers; and, in refuting the Juſtification attempted by the Report, we have given additional Support to moſt of the material Parts of that Charge. The Gentlemen Directors indeed impeach the Proof ariſing from the Letter by a Remark that the Authors of it are intereſted in the Caſe. This Remark is the more extraordinary, as, in the Account they give of thoſe Tranſactions, many of the material Circumſtances reſt wholly on the Relation and Evidence of their own Servants; nor can we in general, in the caſe of Tranſactions ſo remote, have any other Proof than the Accounts tranſmitted to us by our reſpective Servants. Where theſe Accounts vary, in thoſe Parts of the Caſe which reſt on that Evidence, Credit, as in all Caſes of extraordinary Evidence, muſt be given where, upon a judicious Conſideration of all Circumſtances, it appears to be due. The Probability of the Story, the Repugnance or Conſonance of the Facts in which they

agree

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agree with this or that Relation of thofe wherein they differ, and the Degree of Intereft from whence an improper Bias may arife, are Circumftances which, where the Characters of the Witneffes are equal, muft have great Weight in that Confideration. That the Prefident and Council of Calcutta, the Authors of this Letter, are interefted in the Defence of their own Conduct, cannot be denied; but that they had any Intereft of their own to ferve, which could tempt them to fuch a Conduct as is imputed to them, is not pretended; far otherwife, the private Intereft of feveral of them evidently lay another way, great Part of their Fortunes being at that time in the Hands of the Dutch Company, and of courfe endangered by every Step they took; and that any Intereft of ours fhould have led them to unprovoked Hoftilities againft the Servants of the Dutch Company cannot be reafonably infifted on, if it be remembered that, when it was afterwards in their Power to have done what they pleafed, they made no fuch Ufe of that Power, either to our Advantage or to their Prejudice. On the other hand, the interefted as well as hoftile Views, which we confider as the true Source of the Hoftilities complained of, as they were unfuccefsful, muft be judged of from all the Circumftances on which we reft that Imputation; and as, happily for us, it cannot be confirmed, fo neither can it be refuted, by the Event. The Ufe which the Dutch Directors have throughout their Report made of this Letter, as Evidence of whatever Circumftances in the Tranfaction fuit with their Reprefentation of it, gives the whole the Authenticity they difpute, and fhews it to be, what in truth it was meant to be, an impartial Relation of the Facts, and not a guarded Narrative to be tranfmitted as the Foundation of a Memorial; a Ufe to which the Authors of that Letter could not forefee it would be applied.

We cannot conclude without declaring that, far from fuppofing thefe Defigns could have the leaft Countenance from their High Mightineffes the States General, of whom we think with all due Refpect, we do not extend the Imputation to the Dutch Company, fince thofe Defigns appear to us to be equally contrary to their true Interefts and to ours. If it be true, as we have reprefented and believe, that the Dutch Trade in Bengal was, at the Time immediately preceeding thefe Hoftilities, carried on more freely and with lefs Interruption than ufual (and we are affured their Returns were never more regular, nor their Inveftments larger) what more could the Dutch Company defire? The real Grievance, in the Opinion of the Council of Chinfura, if in thefe Proceedings they thought at all of the Company whofe Servants they were, was not that the Affairs of the Dutch Company in Bengal were in a worfe State than ufual, but that thofe of the Englifh were in a better. Whether they were right or wrong in the latter Part of this Opinion is immaterial; fuppofing them right, we might anfwer in the Words of the firft Paper of the Dutch Inftructors in the Affair of Bantam, which we have before cited, that " it is not

" unjuft

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" unjust for the Company to enjoy the Advantage of their Victory with an Exclusion " of those, who, without having shared in the Charges and Dangers of the War, " pretend to share in the Conquest." The Directors of the Dutch Company, we hope, are too just to form such a Claim. The Misrepresentation of Facts throughout their Report, we impute not to them, but to those Servants of theirs, who, to conceal the Enormity of their Conduct, have ventured on one more Breach of their Duty by a false and partial Representation of it.

We have only to add, what we should indeed be wanting in our Duty to omit, that having in so many Instances during the present War been favoured with the powerful Support and Protection of Government, as well since your Majesty's happy Accession as under your royal Predecessor of glorious Memory, by which we have been enabled in a great measure to defeat the Designs of our Enemies, and defend our distant Settlements against the various Dangers they have been threatened with, we humbly intreat your Majesty's Acceptance of our most grateful Acknowledgements; and, as the most acceptable Return in our Power to make, we beg Leave to assure your Majesty, that it has been and shall be our constant Endeavour so to conduct the extensive and important Commerce intrusted to our Care, as may best conduce to the great Ends of our Charter, consistently with Justice and the most delicate Attention to the Rights of every other Nation. Acting thus conformably to your Majesty's royal Example, we hope to merit a Continuance of your Majesty's Protection and Favour; in full Confidence of obtaining it on those Terms, and knowing your Majesty's Justice too well to expect it on any other.

We are, with the greatest Respect,

May it please your MAJESTY,

Your MAJESTY'*s most Dutiful and Loyal Subjects and Servants,*

The Court of DIRECTORS *of the United Company of Merchants of* *ENGLAND*, *Trading to the* EAST-INDIES.

East-India House, the 3d of February, 1762.

RICHARD WARNER	LAURENCE SULIVAN, *Chairman*
RICHARD SMITH	THOMAS ROUS, *Deputy Chairman*
RICHARD SEWARD	JOHN BOYD
BOURCHIER WALTON	JOHN DORRIEN
THOMAS WATERS	GILES ROOKE
W. THORNTON	HENRY SAVAGE
CHARLES GOUGH	CHRISTOPHER BARON
S. HARRISON	HENRY CRABB BOULTON
CHRISTOPHER BURROW	FREDERICK PIGOU
JOHN HARRISON	TIMOTHY TULLIE

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THE

APPENDIX.

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13. A general Atteſtation of the Right Honourable Robert Lord Clive, Baron Clive of Plaſſey in the Kingdom of Ireland.

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No. 1.

To the Honourable George Pigot, *Esq*; *President and Governor of* Fort St. George *and the Coast of* Choromandel, *&c. &c. on Behalf of the Right Honourable the* English East-India *Company, and to the Council there.*

Honourable Sir and esteemed Friends,

AS you promised us by your Letter of the 29th of November last Year, that you would have another Factory built for the Netherlands East-India Company, in lieu of that one belonging to them which was pulled down, and of which we duly advised our Superiors at Batavia, and have in Consequence received their full Approbation to chuse the new House in Cuddalore, belonging to the Missionary Kiernander, instead of the aforesaid Dutch Factory House which has been pulled down: We cannot avoid communicating the same to you, and making our friendly Request that you will give Directions accordingly, that so our Resident the Junior Merchant, John James Baptist Trembley, who is now at Cuddalore, may freely remove from his present Habitation with all the Effects under his Charge into the aforesaid new House, and that the same may be henceforward held as a Factory for the said Netherlands East-India Company: And, after cordial Greeting, we remain,

Honourable Sir and esteemed Friends,

Your most faithful Friends and humble Servants,

Negapatam, in the Fort,
21st Nov. 1757.

J. D. Severin
Corn. Pieterbz
J. Verschiuylenburgh
J^s. L^s. Topandez

S. Vermont
D. E. Vick
C. H. Van Jellingen
Ant^y. Bonk
B^s. Gevel
P^s. Looman

A true Copy of the Translation of the said Letter as entered in the Fort St. George Correspondence, transmitted from thence, and now deposited in the East-India-House, London.
Robert James, *Secretary.*

No. 2.

Extracts of Letters from Mr. John Herbert, *the* English *Resident at* Batavia, *to the President and Council at* Fort St. George.

A *Letter dated 11th May,* 1759.

THE Dutch are preparing an Armament which is given out to be designed for the Coast; it has been long in Agitation, and is now in such Readiness that it will certainly embark about the 30th Instant. As far as can be seen into, it will consist of 1000 Europeans, a good Train of Artillery, and 1500 Bugguese.

B *Letter dated 1st June,* 1759.

THE Armament I mentioned in my former will not sail till the 10th Instant, and will consist of 500 Europeans less than I expected, though it is said they will be made up a Thousand from Ceylon. I am almost certain that a Part of them are designed for Bengal; the Nabob having objected to their erecting a new Fort, they seem inclined to try what Influence a respectable Force will carry with it. The Engineer lately returned from thence has exhibited a Plan, which is to be put in execution, and for which Purpose he embarks in the Fleet.

C *Letter dated 16th June,* 1759.

THE principal Occasion of this is to acquaint you, that the Armament I before hinted at is now embarked, destined, as given out, to act as Auxiliaries on the Coast of Choromandel. That they will touch at Negapatam, is probable. But I have very strong Reason to suspect, that they will from thence (having first a Reinforcement of 500 from Ceylon) proceed without much loss of Time to Bengal, where they conclude so respectable a Force will exact from the Nabob Permission to erect a new Fort, or in Default thereof render them sufficiently strong to try an Expedient for that Purpose.

A faithful Extract from the Copies of the said Letters, as entered in the Fort St. George Correspondence, and now deposited in the East-India-House, London.

ROBERT JAMES, *Secretary.*

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No. 3.

Extract of a Letter from Admiral Pocock, *to the President and Council of* Fort St. George, *dated on board his Majesty's Ship* Yarmouth, *off* Pondicherry, *the 14th* August, 1759.

A

I Received a Letter from Mr. Bodle, dated the 10th Instant, acquainting me, that on the 8th, six of the Dutch Company's Ships from Batavia arrived at Negapatam, with a Lieutenant Colonel, 18 other Officers, 350 European Soldiers, 550 Mallays, and plenty of all warlike Stores; it is said some of the Troops are to be sent to Bengal.

Extract of a Letter from the President and Council of Fort St. George, *to Admiral* Pocock, *dated the 16th August*, 1759.

B

THE Supra-Cargo of the small Vessel arrived here reports, that the Troops on board the Dutch Fleet were only 400 European Troops and 800 Bugguese, and the Crews of the Ships about the same Number, and the same Proportion of Whites and Blacks.—That he parted from them the latter End of June, and that after calling at Ceylon they were to proceed directly to Bengal, to make War upon the Nabob there.

A faithful Extract from Copies of the said Letters as entered in the Fort St. George Diary, now deposited in the East-India-House, London.

Robert James, *Secretary.*

Extract of a Letter from Charles Hutchinson, *Esq; Governor of* St. Helena, *to the Secret Committee of the* East-India *Company, dated the 26th December*, 1759.

C

YOUR Ships, Duke of Dorset, Royal George, Denham, Pocock and Oxford, are kept by the Vice-Admiral, who was cruizing with his Fleet between Negapatam and Pondicherry, at the former of which Places there were seven Dutch Ships of 40 Guns each, with 400 European Soldiers and 600 Bugguese which they brought from Batavia; these and 500 Europeans more that they expected were designed for Bengal.—If they were intended, as is surmised, to have joined a rebel Son of the Mogul's that had invested Patna, they will be entirely disappointed in this Scheme, for he retired precipitately from thence upon the Approach of Colonel Clive, who after he had settled Things there returned to Calcutta.

A faithful Extract from the Original Letter now deposited in the East India-House, London.

Robert James, *Secretary.*

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No. 4.

A

THOMAS Fitzhugh and Benjamin Torin, Esqrs. Super-Cargoes in the Service of the United Company of Merchants of England trading to the East-Indies, upon their Oaths severally depose, that in their Voyage to China in the Year 1759, they arrived at Batavia in the Month of July in that Year, and that being occasionally on Shore at that Place, they were informed, that a considerable Armament which had sailed from thence some short Time before was gone to the Coast of Choromandel, from whence it was surmised it was to proceed to Bengal, and the Dutch at Batavia had great Expectations from it.

London, the 20th January, 1762.
Both Sworn before me,
JOSEPH HANKEY.

THOMAS FITZHUGH
BENJAMIN TORIN.

B

JOHN Pearse, late Commander of the Ship Edgecote, in the Service of the United Company of Merchants of England trading to the East-Indies, upon his Oath deposeth, that in his Voyage to China in the Year 1759, he arrived in the said Ship at Batavia on the 21st Day of July in that Year, and sailed from thence the 26th Day of the same Month; and that being occasionally on Shore he understood from the Conversation of the Place that a considerable Armament which had sailed from thence some short Time before was gone to Bengal, and that the Dutch at Batavia had great Expectations from it.

London, the 20th January, 1762.
Sworn before me, *JOSEPH HANKEY.*

JOHN PEARSE.

C

EDWIN Carter, late Commander of the Ship Chesterfield, in the Service of the United Company of Merchants of England trading to the East-Indies, upon his Oath deposeth, that in his Voyage to China in the Year 1759, he arrived in the said Ship at Batavia on the 21st Day of July in that Year, and sailed from thence the 26th Day of the same Month; and that being occasionally on Shore he understood from the Conversation of the Place that a considerable Armament which had sailed from thence some short Time before was gone to Bengal, and that the Dutch at Batavia had great Expectations from it.

London, the 15th January, 1762.
Sworn before me, *JOSEPH HANKEY.*

EDWIN CARTER.

A true Copy of the Original Affidavits now deposited in the East-India-House, London.

ROBERT JAMES, *Secretary.*

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No. 5.

A

WE Matthew Lynch and William Maltby do declare upon Oath, that when we were lately at Manilha, a Ship arrived there from Batavia, and brought a Letter to one Mr. Cæsar Fiat, who told us it was from one of the Dutch Gentlemen who was then coming on the Expedition to Bengal, and that he wrote him 700 European Soldiers in the Service of the Dutch were to be embarked at Batavia on six or seven Ships, and that they were to call at Ceylon in their Passage and take in Mallay Soldiers, and to proceed to Bengal, *with intent to create some Troubles with the English* there.

Sworn to before me J. Z. Holwell, one of his Majesty's Justices of the Peace for the Town of Calcutta, 7th of February, 1760.

Calcutta, February the 6th, 1760.

WILLIAM MALTBY
MATHEW LYNCH.

A true Copy of a Copy transmitted from Bengal, and now deposited in the East-India-House, London. ROBERT JAMES, *Secretary.*

B

WILLIAM Wilson, late Commander of the Ship Pitt, in the Service of the United Company of Merchants of England trading to the East-Indies, on his Oath voluntarily deposeth, that in his Return from China in the Year 1759, he touched at Batavia in the Month of August of that Year, but did not go on Shore; that he learnt from those who came on board to him that a Fleet had sailed from thence some Time before with *four hundred European* Soldiers and six hundred Bugguese, which *were to be reinforced* by the way (and, as it was said, at Ceylon) with five hundred Europeans more, and proceed to Bengal: and that his second Mate Mr. Jeffery Jackson (now in the East-Indies) having occasion to go on Shore, told this Deponent at his Return that he heard it publickly talked of in Batavia, that the said *Armament was intended against the English* Company's Settlements *in Bengal*; that from the Strength of it they did not doubt of Success, and that they *should not leave one Englishman alive there.*

London, the 20th January, 1762. WILLIAM WILSON.
Sworn before me, *JOSEPH HANKEY.*

A true Copy of the Original now deposited in the East-India-House, London.
ROBERT JAMES, *Secretary.*

Extract of a Letter from Roger Carter, *Esq; Governor of* Bencoolen, *to* Laurence Sulivan, *Esq; dated* Fort Marlborough, 17*th* September, 1759.

C

THERE is one Circumstance of our India Affairs that gives me some uneasiness, and that is, the Dutch sending a large Force to Bengal, consisting of 1000 Europeans and 1500 Bugguefes; and they make no scruple to give out, that, if they succeed, they *will cut every Englishman's Throat* there.

A faithful Extract from the said Letter, now in the Hands of Mr. Sulivan, Chairman of the East-India Company. ROBERT JAMES, *Secretary.*

P

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No. 6.

A Translation of three Letters from M. Bisdom, *Directore of* Chinsura, *to the Nabob* Jaffeir Aly Khan.

LETTER I.

OUR Settlement was established here long before the English and other Nations entered this Kingdom, of which we were Eye Witnesses. – Our Power was then greater, as well as our Trade, but now we perceive that both our Power, Interest and Wealth, are lost, whilst that of other Nations daily increase. In this case what Recourse have we left? our Dishonour and Shame is almost inevitable.

For this Reason, and for the Security of our Possessions, as well as for the Service of your Excellency, *I have sent for Troops into this Country.* You are *our Master and Sovereign*, and therefore hope for your Protection, and wait your Orders to bring our Troops to this Place.

God grant that your Riches may daily increase.

LETTER II.

AS our Nation has *always been encouraged by the Favour of your Excellency*, and more particularly from that Time, when having a favourable Regard to our Company's Business you repeatedly assured our Chief of Cossimbuzar of your Attachment. Considering these Circumstances I was extremely surprized that your Excellency, during your Residence at Calcutta, entered into an Agreement that you would strengthen the Fort of Mukwa Tanna, in order to prevent the Dutch Troops from coming this way, and also gave a Note to the English, directing them to oppose the coming up of our Army.—All these Things considered, it seems plain to us that your Excellency did not enter into the Agreement or give this Order from any ill Opinion of us, but it is all to be imputed to the over-bearing Spirit of the English. But if any one enters into an Agreement through Force or Distress, and afterwards does not abide by it, he will stand justified by the Laws of God and Man; particularly the Governor of a Kingdom, who wishes for nothing else but the Good of his Country, and the Prosperity of his People.

I am therefore in hopes, through your Justice and Favour, that you will recede from your Agreement and Order: And that we shall obtain an Order from your Excellency

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Excellency for the bringing up of our Army; and alſo that a poſitive Order may be given to the Engliſh on no Account to moleſt them, for *we ſent for the ſaid Army* to this Country *in Conſequence of your Directions.*

The King's Revenues are greatly detrimented and the Country almoſt ruined, and of all this you can only look upon the Engliſh as the ſole Cauſe. Our Nation formerly brought conſiderable Sums of Money into this Kingdom, and did not carry out any; and now the Engliſh are ſo powerful that no Trade can be carried on by us, for which Reaſon no Money now arrives, and the Engliſh yearly remit conſiderable Sums: By this means the Revenues of the Country are greatly decreaſed, and therefore how will you be able, without great Difficulty, to maintain your Forces? And when your Enemies come upon you, you will not then be capable of oppoſing them.—This time if you will favour the Company they will *ever be at your Command*, and your preſent Anxiety and Uneaſineſs may be removed.—Your Excellency cannot take a better Step; and I hope you will take this into your favourable and ſerious Conſideration, and return me a proper Anſwer.

LETTER III.

THE *wrathful* Letter you wrote to me I have received, and it has given me inexpreſſible Uneaſineſs.—The Troops were not called here at my own Deſire, nor did I imagine they would ever have come to Action, and fully intended to have returned them by the Ships when they failed for Europe.—They were brought here for the Security of the Ships; this I acquainted your Excellency of ſeveral times: During their Stay in Camp they moleſted no Man, nor had any Diſturbances with the Country People; this alſo you are well aſſured of.—It was never my Intention they ſhould fight, but the Engliſh hoiſted Moors Colours and immediately came down upon them, and a Battle enſued.—Your Excellency is the Magiſtrate of Juſtice, and therefore I deſire you will interfere.—I was deſirous that ſome Advantage ſhould ariſe to the Riots * from the Sale of the Goods, when they were brought up; and intended to have laden on board the Ships the Saltpetre and other Goods that were bought, and with the People that came here diſpatched them to Europe; but the Engliſh would not permit the Boats to paſs.—I am willing *to act up to our Agreement*, and I hope your Excellency will *adhere to it alſo*: In this we entirely depend on your Favour. The Company have for a long Time carried on Trade here, and therefore earneſtly deſire you will continue to them your Favour and Protection, as we are not able of ourſelves *to root out our Enemies.*

A true Copy of a Tranſlation of the ſaid Letters tranſmitted from Bengal, and now depoſited in the Eaſt-India-Houſe, London.

Robert James, *Secretary.*

* Farmers or Under-Tenants of the Country.

No. 7.

Calcutta, ss.

A

ALEXANDER Barclay, Master of the Honourable East-India Company's Snow Leopard, and Robert Allen the Mate of the said Snow, make oath and say, that on Wednesday the 14th November last they left Govenpore and fell down the River till about three o'Clock in the Afternoon; when they were off Fulta, the headmost of the Dutch Ships, then lying at anchor there, fired a Shot at them, upon which they immediately shortened sail in order to come to, but that the Dutch were so impatient that they fired another Shot, which went through the Foresail, upon which they came to all standing, and the Deponent Barclay went to the Dutch Colonel to know his Reason for stopping the Vessel, but he refused to give any, and the Snow was ordered to be brought within their own Ships, and they sent on board Twenty-five Europeans armed with Muskets and fixed Bayonets, and as many Mallays armed with Lances and Cresses, and took possession of the Vessel; that on the 15th in the Morning the Snow was hauled within the Dutch Ships, and Orders sent on board to take out all the Military Stores, which was accordingly set about immediately, and they took out of her all the small Arms, Ship's Guns and Shot, Powder, &c. with Seven Hundred and Eighty-five Shot and Shells of Sizes; in the Evening Orders came on board to withdraw all the Soldiers and Mallays from on board except Six Europeans and a Corporal, they likewise took away all the Lascars and sent others in their room; they also took out the Pilot and put on board one of the Mates of their Ships to take the Command, and that *the Pendant was hauled down by order of the Fiscal, and the Colours ordered to be hoisted no more*. These Deponents further say, that on Saturday the 17th of November, in bringing the said Snow up the River they run her aground, but got her off again, and that on Monday the 19th, through Mismanagement of the Dutch, she was run ashore again, where she lay athwart the Tide for a considerable Time, straining and twisting upon the Ground, during which Time the English Ships approaching, so frightened the Dutch Commander that he would not take time to heave up the Stream Anchor, but cut the Cable and left it behind, and that on Tuesday the 20th, when the Dutch Ships weighed, the Snow weighed likewise, and soon after was aground upon the Lee-Shore, where for want of a Boat to carry out an Anchor she lay till the Tide ebbed, and when it was too late to endeavour to get her off they sent a Message on board from the Dutch Commodore, desiring the commanding Officer on board of the Snow to come on board his Ship and bring us along with him; but the commanding Officer not understanding the Moors, asked them to interpret what the Peon said, which they told him was, that the Commodore sent for all the Dutchmen out of the Vessel, and ordered that they should remain in her, by which Means they got an Opportunity to make their Escape, but not till they saw several Boats come down from the Dutch Ships and go on board the Snow.

THE

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The Deponents further say, that on their Return to take possession of the said Snow, they found that a considerable Part of her Rigging, Sails and Stores were wanting, a List of which they have delivered; and further, that as to the Brass Guns, Shot and Shells that were on board, they cannot be ascertained till the Cargo is all delivered.

Calcutta, 20th December, 1759.
Sworn before me, *THOMAS BODDAM.*

ALEXANDER BARCLAY,
ROBERT ALLAN.

A true Copy of a Copy transmitted from Bengal, and now deposited in the East-India-House, London.

ROBERT JAMES, *Secretary.*

B

The Deposition of Thomas Price, *in relation to the Seizure and Detention of the* Monmouth *Ketch, by the* Dutch, *in the* River *of* Houghley, *the* 14*th* November, 1759.

THOMAS Price, then Purser of the said Ship, deposeth, that she was then laden with *Piece Goods, Rice and Sugar*, and with some other Commodities, but *no other Military Stores* than what were necessary for the Use of the Ship in a trading Voyage, on which she was then bound to the Gulph of Persia, and that the Captain having ordered him to attend the Pilot in carrying her down to Culpee, he went on board, and having weighed anchor fell down the River, till coming near Fulta the headmost of the Dutch Ships then at anchor there fired a Gun at them, which being only loaded with Powder they took no notice of; but that the Dutch Ships then fired three Guns at them, loaded with Ball, which obliged the Ketch to bring to, upon which there came on board from the said Ships a Captain and Thirty Europeans, who took possession of the Vessel and carried this Deponent on board a Budgrow to the commanding Officer, who informed him that he detained the Ketch in consequence of some of their Boats being stop'd at Tanna's Fort.—This Deponent further saith, that on Thursday the fifteenth in the Morning, they sent a Boat on board with an Officer, and took out their Guns, Powder, &c. and before the Officer left the Vessel, that he *ordered the Colours* to be struck.—And this Deponent further saith, that several other English Vessels were stop'd and detained on the same Day, which as this Deponent verily believes had *no Sort of Military Stores* on board.

London, the 20th of January, 1762.
Sworn before me, *JOSEPH HANKEY.*

THOMAS PRICE.

A true Copy of the Original now deposited in the East-India-House, London.

ROBERT JAMES, *Secretary.*

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No. 8.

The DUTCH ARZEE or PETITION—24th *October*, 1759.

OUR Arrival in this Country was prior to that of the other Europeans. Now we see our Honour and Commerce daily declining. Others have used every Means necessary for their Protection; and *as it is possible that we may be engaged in some Disputes*, for that Reason *we have sent for Forces* for our Defence; in this Affair *his Excellency is Lord of the Country*; we wait his Pleasure.

The NABOB's ANSWER.

LET the Business of the noble Merchants be carried on in the same Manner now in which it has always been: To send for Forces is unprecedented.—What I have wrote in repeated Perwannahs—that let them abide by.

A true Copy of the Translation of the said Petition and Answer transmitted from Bengal, and now deposited in the East-India-House, London. ROBERT JAMES, *Secretary*.

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No. 9.

The Deposition of Juan Ferrare, Spaniard, *a Soldier, taken before* Thomas Boddam, *Esq*; *the 25th* November, 1759.

THIS Deponent saith, that in the Month of October Mr. Florin called on the Frenchmen of Chandernagore, Serrimpore and Chinzurat, and told them in plain Terms, that he could give them no more Subsistance or Diet Money, but if they would go to Chinzurat to the Dutch Factory and form themselves into a Body they would receive Pay there, but if on the contrary it did not suit them, he would not any longer give them Subsistance; after which the Deponent with ten or twelve more at divers Times went to Chinzurat, where they received from the Hands of the Dutch Fiscal twelve Rupees each. He further deposes, that the Reason of their going in small Numbers at different Times was by the Fiscal's Direction, lest they should be found out receiving the Money; and further says, that on talking with Serjeant Barrillier, he told him that Mr. Vernet was angry when he came from Cossimbuzar that the Number of Men marked in the Muster Roll delivered him by Mr. Courtin was not forth coming, and asked the Reason; on which an Order was sent to all the French, as well Seamen as Soldiers, to assemble at the House of Mr. Vernet, where each Man that took Service received a Note from Mr. Vernet according to his Rank, which they carried to the Commandant, where they received the Pay accordingly, and were enrolled; that about fifteen Days after Payment they were ordered to assemble in the Dutch Factory, where Mr. Vernet, the Fiscal and Dutch Commodore were present, and formed them into a Company, under the Command of five Serjeants and four Corporals, Mr. Vernet himself promising to head them, and from that Time they did Duty till yesterday, when he (the Deponent) was wounded in the Shoulder by a Musket Ball, and taken Prisoner at Chandernagore, in defending the Dutch Guns which they had advanced against our Troops under the Command of Colonel Forde.

A true Copy of a Copy transmitted from Bengal, and now deposited in the East-India-House, London.

ROBERT JAMES, *Secretary.*

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No. 10.

COPIE SECREET.

A

RAPPORT aan den Wel Ed. Agtb. Heer Adriaen Bisdom, *Directeur opper-Gebieder van 's Comp. Importanten Handel in de Ryken* Bengalz, Behaer *en* Orixa, *benevens de Leden van den Houglyzen Raed.*

Wel Edele Agtb. Heer en Ge-eerde Raden,

DEN ondergeteekenden met voorkennis van den Heer Vernet den 1 dezer 's Avonds ten 7 uuren van hier vertrocken zynde om waer het mogelyk de Gesteltheid van het Fort Makwatanna, en desselfs Environs nauwkeûrig te bezigtigen; alzoo men op de Inlandse Raporten in het geheel geen Staet kan maken; zoo dient hier op het volgende berigt. Den Eersten morgen naer myn vertrek den 2den omtrent 6 uuren op Bernagore gekomen zynde, voorzag ik my ten eersten van een Inlander, wiens Broeder een Boetique of Winkel, in gem' Fort heeft met orders om waer het mogelyk 1 of meer van onse Deserteurs die binnen het zelve leggen, al waer het ook voor een Stuyver geld, te Debaucheren, en vervolgens afte-zien de Gesteltheid van het Fort, dit is dan ook van een goed Succes geweest zoo als in het vervolg klaer zal blyken. Vervolgens my naer omtrent een half uûr verbleven te hebben begaf my wederom op Reis, doen alzoo de ebbe meest geheel verloopen was, ware ik genoodsackt de Coolies of Riemadoors van myn kleine Vaer-

REPORT to the Honourable Adrian Bisdom, *Directore and Commander in Chief of the Company's important Trade in the Kingdoms of* Bengal, Bahar *and* Orixa, *together with the Members of the Council of* Houghley.

Honourable Sir and Honoured Counsellors,

THE underwritten, with Knowledge of Mr. Vernet being departed from hence on the 1st Instant at Seven of the Clock in the Evening, to survey if possible the Situation of the Fort of Mackwatanna and its Environs in the most exact Manner; as there is not the least Dependence on what the Country People report, the following Information may serve.—On the first Morning after my Departure, being on the 2d Instant, at about Six of the Clock I arrived at Bernagore; I provided myself with a Country Fellow whose Brother had a Botique or Shop in the said Fort, with Orders if possible to corrupt one or more of our Deserters who had been in the same, though it should cost some Money, and further to inspect the Situation of the Fort; this has been of good Success as will hereafter evidently appear: after about half an Hour's stay, as the Ebb was almost spent, I was obliged to cause the Coolies or Rowers of my small Vessel to get ashore with a Line which always gave me the Advantage of being near the Shore, and as the Water rises very sudden with a Spring

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Vaertuygen met de lyn aan de Wal te doen Stappen het geen my het voordeel gaf altoos kort de Wal te zyn, en dewyl het Water met een Spring vloet Zeer Schielyk oploopt gaf my dit gelegenheidt het geheele Landt over te Zien het welk bevond, wel een Myl Landwaerds in Vlak Land te zyn bewassen met eenige kleine Strúweelen en Enkelde klapper en andere Boomen, als ook veel grond daar de Engelsen haer Steen Ovens hebben, waardoor dezelve hier en daar met laagtens is uyt gegraven.

Vervolgens, tot aan het voorn' fort gekomen zynde liet ik myn Vaertúig zoo nae onder de Noord Punt van ged' Fort Schieten dat ik maglyk in 6 Schreeden uyt het selve boven op de Punt en dús ook in het fort kon komen, deze Punt kan zoo wel te land als te water genadert sonder perykel (mits het een Surprise is) terwyl de Bres in dezelve wel zoo Breed is dat merkelyk 8 a 10 Man an frondt daar binnen kunnen marcheeren, zynde seer docerende tot boven op de Punt.

Langs de Noord kant van het fort is Eenelyk eene Enkelde Múur, langs welke een Party Sepayes ten getalle volgens de opgave der Deserteurs, van omtrent 500 Man, daar onder gereekent de Troúpe van den Nawab, die, met 60 Unters en eenige Roerschutters, langs de West Zyde van meerm'' Fort legt en gecommandeert, zoo men my berigt heeft, door Ragia Ram Herkarra; langs deeze Geheele West Zyde van het fort, is een enkelde Múúr omtrent 4 a 5 voeten hoog, volgens het zeggen der Deserteúrs kan men seer gemaklyk van de Zuidkant langs de West kant, alwaar geen En-

Spring Tide, this gave me an Opportunity to look all over the Country, which I found for at least a Mile to be flat Land, overgrown with some little Shrubs and other single Trees, and a great deal of Ground where the English have their Brick Kilns, and on that Account it is here and there digged out in Holes.

Further, being come to the said Fort I caused my Vessel to go as near under the North Point of the Fort, that I could in six Steps have easily ascended to the Top of the Point, and so into the Fort itself. This Point can be approached both by Land and Water (if it be done by Surprize) as the Breach in the same is so broad that eight or ten Men a-breast can march therein, being very easy to get up upon the Point.

Along the North Side of the Fort is only a single Wall, where a Party of Seapoys is encamped, to the Number of about 500 Men, according to the Information of the Deserters, among which are reckoned the Troops of the Nabob, who, with 60 Horsemen and some Musketeers, lay along the West Side of the said Fort, and as I have been informed, commanded by Rajah Ram Herrkar; all along this West Side of the Fort is a single Wall, about 4 or 5 Feet high, as the Deserters say one may easily come from the South along the West Side (where there is not a single Piece of Cannon) by a Way

R that

Enkeld ſtuck Canon is, komen, door een weg die tuſſen een klyne Spruyt in een groot binne Water heen loopt, Zynde dit een Spruitje; waer van hier na breeder Spreken Zal.

Vervolgens van de Noord Punt langs de Ganges of Ooſt kant na het dikgemelde Fort heenen Boejende, heb ik gevonden 7 Schiet gaten van aerde boven op de Steenen muur gemackt, leggende daer op, volgens het Rapport van een Conſtabel, die van de Engelſen tot ons is overgeloopen, 2 Pˢ Canon van 32 lb Bals, 4 Pˢ van 24 lb en 1 à 12 lb die, alle regt over de Revier Schieten. Vervolgens, komt men aan de Zuid kant, dewelke ten eenemael vervallen is, en waer op niets anders is, als een Borſtwering van Zand Zakken, alſdaar is ook de Bres zoo Breedt dat, Sonder Moeite, 5 à 6 Man an frond daar binnen kunnen marcheeren. Op dezelve Borſtwering leggen 3 Pˢ Canon, volgens opgave van gemᵗ Conſtabel, is haer Caliber 2 à 6 lb, 1 à 12 lb Bals; voor t'gemelde Punt of Borſtwering legt een Smalle Spruit, die omtrent 3 roeden by hoog Water breedt is, dog by laag Water een weinig landwaerds in ofte tuſſchen voornᵗ binne water door waedbaer is, Ja by heel laeg Water ten Eenemael droog.

De Weg tuſſen gemelde fort en een groote Spruit die om de Zuid legt is omtrent zoo lang dat men het met een Zwaar Canon kan beſchieten, dog om de Landing in die Spruit te doen is geheel niet gevaerlyk, alzoo het gezigt van het fort op de plaetſe daar men landen moet en geheel voor aen in de Spruyt is, bedekt legt door kleine Boſchjes: de weg is Redelyk effen zoo dat men zonder groote moeite

that is between a little Channel that runs into a great Water Tank.* But of this I ſhall ſay more hereafter.

* Reſervoir.

Further rowing from the North Point, along the Ganges, on the Eaſt Side of the Fort often mention'd, I found 7 Holes [Embraſures] to ſhoot through, made of Earth, on the Top of a Brick Wall, there being put (according to the Information of an Engliſh Gunner, who deſerted from them to us) two Pieces of Cannon of 32 lb. Balls, four Pieces of 24 lb. and one Piece of 12 lb. which fire direct over the River. Further, when you come to the South Side, which is entirely decay'd, and where there is nothing but a Breaſtwork of Sand Bags, the Breach there is ſo broad that 5 or 6 Men can with Eaſe march in a-breaſt; on the ſaid Breaſtwork lie three Pieces of Cannon, which according to the Information of the ſaid Gunner are two of 6 Pounds and one of 12 lb. Balls; before the ſaid Breaſtwork is a Channel, which at high Water is about three Rods broad, but at low Water a little inland it is fordable; nay, when the Water is quite low it is dry.

The Way between the ſaid Fort and the great Water Channel ſituated on the South, is about the Diſtance of a large Cannon Shot, but to land in the Channel is not at all dangerous, as the Sight of the Fort at the Landing-place is covered by ſmall Shrubs; the Way is pretty even, ſo that without Difficulty one may with Cannon march up along the Channel to the Fort. On coming up with Ships one can ſail with

moeite Selfs met geschut, van gemelde Spruit tot onder het fort kan avanceren. Als men met Scheepen opkomt kan men met gerustheid tot de hoek van het zoo genaemde Moorserak Zeilen, sonder Schade van des Selfs Canon te lyden: Van daer kan men seer maklyk, met de daartoe geapproprieerde vaartuygen, en als het Vloedty is, in de tyt van 4 à 5 Minuten in die groote Spruit koomen, waervan hier vorens gezegt hebbe, dat de landing moet geschieden.

Aan de Over kant van Makwatanna legt een Battery mede van Zand Zakken, waer op meede, volgens rapport der Deserteurs, leggen 2 P^s Canon van 24lb Bals, die meede Schuins over de Ganges, dat is, omtrent de Zuid West opschieten agter de Wal; by deze Battery legt een Nawab's Camp, gecommandeert door den Ragia Dollob Ram, aan die Zyde Zyn buyten de voormelde Europeze, geen andere volkeren.

Vervolgens, heb ik my omlaeg naer Boese Bessy begeven om te zien of daar ook eenig Volk was, dog aldaer niets vernomen hebbende, oordeelden ik noodig van alle deze Zaaken, ten spoedigste, den Colonel Roussel die nog op Voltha lag, te verwittigen, aldaar Zynde, zag ik ook, tot myn groote Vreuyde, de Vrugten van myn voornemen, komende, aldaar des avonds 3 Deserteurs in name Andries Fey, Soldaet, Marten van Dalen, Constabel, en Johan Frederick Boehm, Soldaet, in t' gem^t fort die des 's morgens vroeg of wel op den 3 dezer maend, waren uyt het Fort gegaen; die alle wat het Zaakelyke in deesen gem^t aangaet, naer dezelve een voor een gehoort te hebben volkomen hebben geaf-

with Safety to the Point called Mohrefrack, without suffering any Damage by its Cannon; from thence one may with great Ease, with Vessels designed for that Purpose, when it is flood Tide, in the Space of 4 or 5 Minutes come into the great Water Channel, of which I have said before that there the Landing must be made.

At the other Side of Mackwatanna is a Battery of Sand Bags, on which, according to the Report of the Deserters, are planted two Pieces of Cannon of 24lb. Ball, which point slanting over the Ganges, that is about the South-West behind the Wall; near this Battery lies the Nabob's Camp, commanded by Rajah Dollob Ram, on that Side there are no other People than the above-mentioned Europeans.

Further, I proceeded lately to Boesse Bussy, to see if there were any Forces, but not having seen any there I thought it necessary as soon as possible to acquaint Colonel Roussel, who is still at Fulta, of all these Matters. When there, I saw to my great Joy the Fruits of my Endeavours, as there arrived there in the Evening three Deserters, *viz.* Andrew Fey, a Soldier, Martin van Dalen, a Gunner, and John Frederick Boehm, a Soldier, from the said Fort, who early in the Morning of the 3d Instant got out of that Fort, and all having, one after the other, been examined, confirmed the material Parts of what is above-mentioned. The second of these three, *viz.* Martin van

geaffermeert, Betuygende den tweeden gem' Marten van Dalen, dat de geheele Engelsche Forches, zoo Europeese als ook nog wynige Portugezen bestaen te hebben, namelyk by de laetste Monstering in omtrent 500 koppen zynde, er nog geen 3000 Man, zoo Sepays als Nawab's Troepen, die thans alle verdeeld Zyn op alle plaetsen waer de Engelsen Forschen hebben.

Gemelde Constabel betuigt meede dat onder de Zuid Punt van Makwatanna het kruid magazin is, dat er veel Cardoezen gevuldt met Glas en Yzere Spykers en Schroot in gemelde fort klaar Zyn.

Hier meede deeze bezluitende, in hoope dat deeze myne onderneeming aan myne oogmerke mag voldoen, en het mag Strekken tot welzyn van het algemeen en de maetschappy, offererende tesfens myn Persoon om ge-Employeert te mogen werden, zoo mogelyk mede in de *voorgenome* Expeditie, dan wel waar het zal mogen of konnen vereist werden.

Ik heb de Eere met alle hoog agting my te noemen,

Wel Ed. Adgtb. Heer en ge-Eerde Raden,

UwE. Agtb. onderdan' & geboorsame Dienaer,

J. L. V. SCHEVICHAVEN.

*Hougly, den 5 Nov*r. 1759.

van Dalen affirmed, that at the last mustering all the English European Forces, including a few Portugueze, were but 500 Men, and not 3000 both Seapoys and Nabob's Troops, who are dispersed in all Places where the English have Forces.

The said Gunner attests that the Powder Magazine is under the South Point of Mackwatanna; that there were a great many Cartridges filled with Glass and Iron Nails, and Grape Shot in readiness in the same Fort.

Here I conclude, in hopes that this my Endeavour will answer my Intention, and tend to the Good of the Publick and the Company, offering my Person to be employed in the *intended* Expedition, or wherever it can or may be required.

I have the Honour with all Esteem to call myself,

Honourable Sir and Honoured Counsellors,

Your Honours most obedient humble Servant,

Houghley,
Nov. 5, 1759.

J. L. V. SCHEVICHAVEN.

A true Copy of the Original now deposited in the East-India-House, London.

ROBERT JAMES, *Secretary.*

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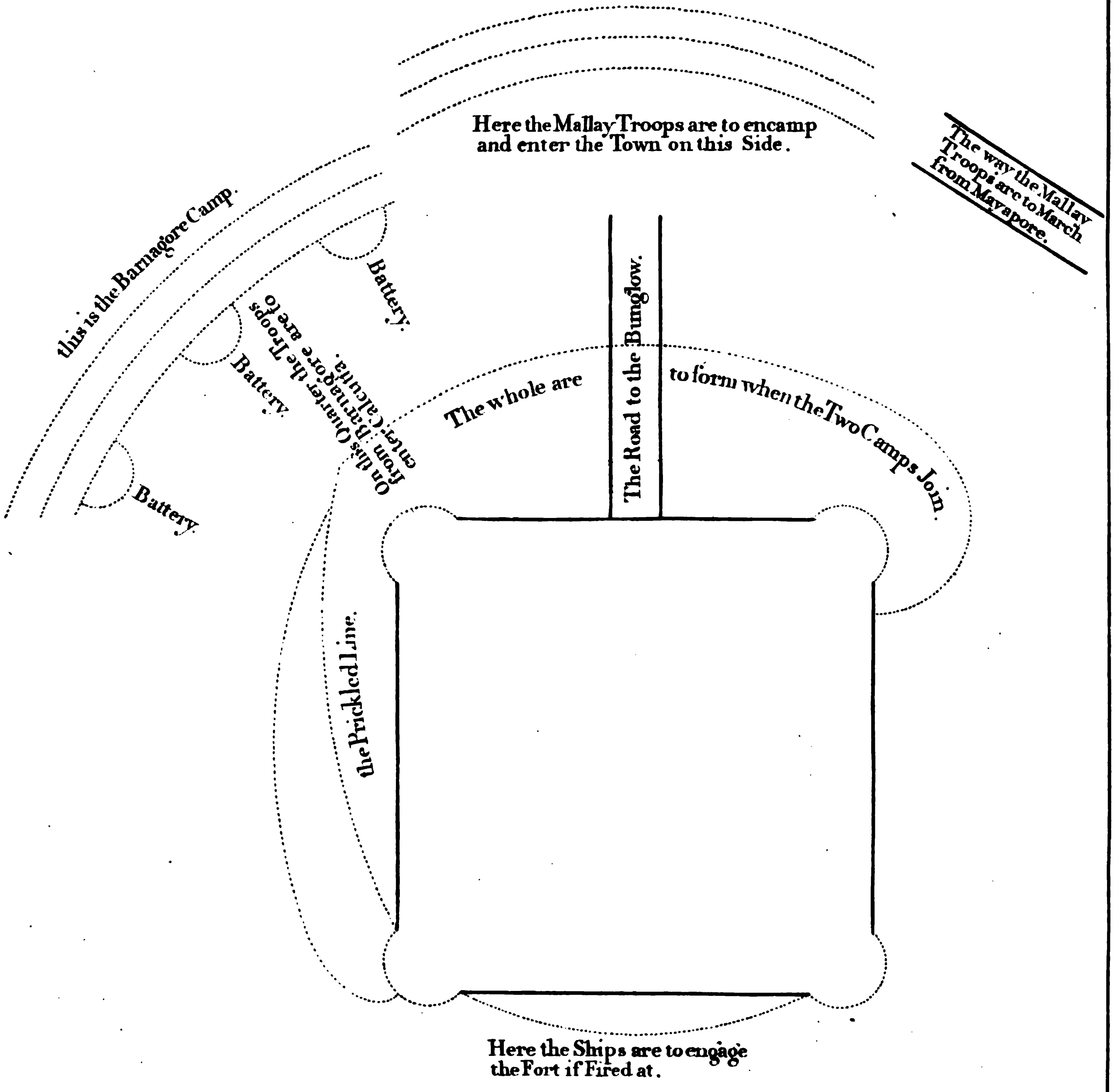
No. 10 B.



An exact Copy of a Plan, transmitted from Bengal and now deposited in the East India House London.

Robt. James, Secry.

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C

Extract uyt de Resolutie van de Vergadering gehouden aan boord vant t' Schip Ulissengen.

Op Saturdag den 17e November. 1759.

ZOO wierd goed gevonden en besslooten, ingevalle die Scheepen de Passagie wilden onderneemen, het eerste al Cannoneerende, te laaten passeeren voor by de Scheepen de Princes van Orange, Bleyswyk en Ulissengen, en aan d'Elisabeth Dorothea gekomen Zynde zal dat Schip hem ten eerste aan boord leggen, en door Welgeleegen, die als dan moet afrakken aan d'andere Zyde gesecúndeert werden, het andere Engelsche Schip, de Princes van Orange geparsfert Zynde, Zal ten eerste door Bleyswyk aan boord geklampt, en door Ulissengen, dat als dan meede daar na toe afrakken zal van d'andereZyde ondersteúnt werden.

Zo wierd wegens het Affaire der Branders, het advys van de Scheep' overheeden, als die Zaaken best kúndig Zynde ingenoomen, en het advys van den Scheeper Zuydland, welke oordeelde t'beste en Zekerkste middel daar toe te Zyn, voor eerst alle wagten en een wagt van Europeese en Oorsteriche Militairen in een Vaartuyg omtrent een half myl voor de Scheepen uyt te Zetten, hen te gelasten wel toe te zien, en de Scheepen by tyds te waarschouwen, welker overheeden meede geordonneert diende te werden, altoos húnne Schuyten gereed te hou-

Extract from the Resolution of the Council held on board the Ship Ulissengen.

On Saturday the 17th November, 1759.

IT was approved and concluded, in case the English Ships would undertake the Passage, to let the first pass by the Ships the Princess of Orange, Bleyswyk and Ulissengen, and being come to the Elizabeth Dorothea that Ship shall board her immediately, and be seconded by the Welgeleegen, who then must get on the other side; when the other English Ship is passed by the Princess of Orange, she shall be immediately boarded by the Bleyswyk and seconded by the Ulissengen, who then must get close to her on the other side.

Concerning the Fire Ships, the Commanders of the Ships were consulted, as best skilled in those Matters, and the Advice of Captain Zuydland taken, who thought the best and surest way to be, first in every Watch to send out in a Vessel, European and Eastern Soldiers about half a Mile beyond the Ships, and to order them to look out well, and to give Notice by Times to the Ships; the Commanders whereof ought also to be ordered to hold their Boats in constant Readiness, and therein to have a Cable or a Towline at both Sides provided with

houden daar in hebbende een Cabeltouw off Paardelyn aan weer Zyde van een dreg voorſien, als meede een bequaam man op die Schuyten te plaatſen, om op d' aankomende Branders af te Zenden, met den eenen dreg over de keten die de brand Vaartuygen aan malkanderen houd tragten te werpen, t' welke geſchied Zynde de andere dreg te laten vallen, en die Vaartuygen daar voor te laten Verbranden.

a Grapple, as alſo to place a capable Man in thoſe Boats, ready to be ſent off at the Arrival of the Fire Boats, and endeavour to caſt one Anchor over the Chain that holds the Fire Boats together, and this being done he may drop the other Anchor, and ſo let them there be conſumed.

Door den Ed. Heer Commiſſares en verdere leeden geampleſteert Zynde, gereſolveert de Scheeps overheeden by Extract deezes te gelaſten, het Zelve werkſtellig te maaken, en elkanderen met het daar toe ontbreekende behulpzaam te Zyn.

This being approved of by the Honourable Commiſſaries and the other Members, it was reſolved by this Extract to order the Commanders of the Ships to put this in execution, and aſſiſt each other with what may be wanting.

Wierd beſlooten en vaſt geſtelt de landing even voor het laagwater te beginnen, en welke tyd de Scheepen Welgeleegen en d' Eliſabeth Dorothea tot voorby de Spruyt van Sagrakalkat Zoude op dryven, aldaar hún anker werpen, en de Wal met hun Canon Suyveren van t' volk, dat de landing der Troupen zoude willen beletten, Uliſſengen vlak voor voorn' Spruyt ankeren, Bleyſwyk en de Princes van Orange even beneden deſelve, en de Wereld in de bogt op een Spring leggen, om de opkomende ſcheepen te kunnen beſchieten, terwyl de in verſeekering genomen Engelſe vaartuygen voor Welgeleegen Zullen gegoſteert werden.

It was concluded and ſettled to begin the Landing juſt before low Water, at which Time the Ships Welgeleegen and theElizabethDorothea ſhall drive till they are paſt the Channel of Sagrakalkat, and there come to anchor, and clear the Shore with their Cannon of the People that would hinder the landing of the Troops, the Uliſſengen to anchor oppoſite the Channel, the Bleyſwick and Princeſs of Orange juſt below the ſame, and the World in the Winding of the River to lay on a Spring to fire upon the Ships coming up, as we are aſſured there are Engliſh Veſſels poſted before the Welgeleegen.

De landing geſchiet en de Vloet gekomenZynde, Zullen de Scheepen in voorn' ordre

The Landing being made and the Floods beginning, the Ships ſhall come up

ordre tot voort' Fort Makwatanna, opkomen, Welgeleegen Zig booven de Noord Punt van dat fort posteeren, de Elisabeth Dorothea vlak voor de Courtine, en Ulissengen even benede de Zuyd Punt, welke Scheepen de Batteryen vant' fort Sullen beschieten, en is het mogelyk dezelve vernielen, terwyl de Scheepen Bleyswyk en d' Princes van Orange de benede Wal met hun Cannon Zullen schoon houden, en de Wereld in de bogt geposteert blyven, alles volgens t' plan hier van gemaakt, en hen ter hand te Stellen beneevens een Extract dezer Resolutie.

Ge-Extraheerd Accordeert. Dato ut Supra.

J. M. Boss.

D. f. D. Bary, *Schriba.*

up in the said Order before the Fort Mackwatanna, the Welgeleegen posting herself above the North Point of the said Fort, the Elizabeth Dorothea direct before the Curtain, and the Ulissengen just below the South Point, which Ship shall cannonade the Batteries of the Fort, and if possible demolish the same, whilst the Ships Bleyswick and Princess of Orange, with their Cannon, shall keep clear the Shore below, and the World remain posted in the same Place; all according to the Plan made hereof, which together with an Extract hereof shall be delivered.

The Extract agrees. Dated as above.

J. M. Boss,

D. f. D. Bary, *Scriba.*

A true Copy of the Original now deposited in the East-India-House, London.

Robert James, *Secretary.*

No. 11.

ARTICLES presented to the Nabob by the Dutch *Company's Vaqueel.*

I.

BY our Phirmaund *we are entitled to a Preference* in buying all Sorts of Goods from the Merchants: *We desire we may have the Preference in buying Saltpetre and Ophium* of the Merchants, and that the Saltpetre may not be engrossed by any one. That we may not meet with any Obstruction from your Excellency in the buying of Ophium, or any other Affairs; and that there may not be more exacted from us than formerly: And that Orders be sent to the Subahs, Naibs and other Officers of the Government, not to exact any thing from us on the Trade of Ophium, or any other Business, on Pretence of Nazzarranna, or any other Pretext whatever, as has been practised this Year, by taking from us 15000 Rupees on that Account.

II.

We beg you will grant us a Sunnud, establishing the Privilege of our Phirmaund.

III.

That what is yearly taken from us as a Piscush at Patna be pardoned.

IV.

That you will order that the Silver of the Dutch Company may be coined into Siccas at Chinchura, or that they may have a separate Mint at Muxadavad for coining only the Company's Silver, and that no one else have Power to coin there, or exact any thing from us.

V.

That you will order the Tanksaul People to pay us the 4000 Rupees they owe us.

VI.

That the King's Devan and other Officers shall not obstruct our sending Bullion to Patna as usual, that we may continue to trade there on the footing of the Phirmaund, and in the same Manner as in the Time of former Subahs, and that nothing be taken from us on any Account whatever.

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VII.

That the Phousdars, Zemindars, Jannadars, &c. shall not molest us at the Chowkey Gates, nor by Injuries and Oppressions extort our Goods from us, as at present; and that we have free Passage for our Goods, going or coming, by Land or by Water, on our paying the customary Meer Burry Duties.

VIII.

That if any great Affairs happen, the Directore or Captain of Cossimbuzar Factory may have Liberty to petition themselves in the Presence, that Vaqueels and others, the Mischief-makers of the Durbar, may not have an Opportunity of misrepresenting our Affairs.

IX.

If you will grant us an Order we will fortify our Factory, that in future no one may oppress us, as the English have at this Time done. God forbid it, and that we may be able to defend ourselves when attacked.

X.

As Chinchura is a very small Place, and insufficient for building a new Factory, we beseech you to grant us Banqua Buzar, formerly belonging to the Alemans.

XI.

The five Laaks that were taken from us last Year, for the Expence of the Troops and Durbar Charges, we beg you will return.

If your Excellency will vouchsafe to grant our Petition, and free us from the Oppressions on our Trade, our Masters will carry on their Commerce with Satisfaction and Confidence.

A true Copy of a Copy entered among the Bengal Consultations, transmitted from thence, and now deposited in the East-India-House, London.

Robert James, *Secretary.*

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No. 12.

A

Extract of Mr. Hastings's *Letter, Chief of* Cossimbuzar, *to Colonel* Clive, *dated 20th* November, 1759.

THE Intelligence of the Dutch Ships and Forces moving up being laid before the Nabob, he excused himself by saying that he was not to blame if the Dutch after their solemn Declaration had deceived him; the Nabob further said, it was a Maxim by which he always regulated his Conduct in Concerns of this Nature, never to make use of forcible Measures till he had tried the Effect of Moderation, as such a Caution left him an unanswerable Plea to act as he thought proper if the latter Means proved ineffectual; that in this particular Instance he had hearkened patiently to the Dutch Demands, and had readily complied with them to their Satisfaction, only demanding in return the Dismission of the Ships and Forces which they had brought into the Country against him, which they promised on their Parts to perform, and that now should he carry his Purpose into execution to drive them out of the Country (which since they had reduced him to such Extremities he would do) the whole Blame lay on the Chinsura Direction, nor could their Constituents have the least Argument to find fault with him.

A true Copy of a Paper transmitted from Bengal, as being an Extract from the said Letter, and now deposited in the East-India-House, London.

ROBERT JAMES, *Secretary.*

B

An Extract of a Letter from the Chuta *Nabob to the President, dated 23d and received 26th* November, 1759.

ON the first of Rabbra al Sanme my Forces crossed the River at Anjerdiepe; they cannot proceed to Chitpore: I am come down to punish the Dutch, that you may be convinced how much I am your Friend, and by the Blessing of GOD I will soon destroy Chinsura. I know not how to treat; I have wrote them that my Forces will soon be with them, and that they will very soon be destroyed, which by the Blessing of GOD shall soon happen. The Nabob and you are Persons who know how to treat: for me I understand nothing but fighting. I have wrote you very often for some Cannon, and now desire again you will send them speedily, if not, I will attack them with what I brought with me, and send those Chinsura Cowards to Hell immediately, and then I will pay you a Visit.

A faithful Copy of the said Extract transmitted from Bengal, and now deposited in the East-India-House, London. ROBERT JAMES, *Secretary.*

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No. 13.

THIS is to certify, that I have carefully perufed the annexed Memorial of the Englifh Eaft-India Company to his Majefty, and do folemnly declare, that fuch of the Facts therein mentioned as I was any way concerned in, are truly ftated, and that I verily believe the reft to be fo.

CLIVE.

The Depofition of Thomas Boddam, *Efq; late a Member of the* Englifh *Council at* Calcutta; *who on his Oath depofeth*,

THAT before the Dutch Armament arrived in the Ganges in the Year 1759, this Deponent, being then of the faid Council, met the Dutch Fifcal of Chinfura, M. Schevichaven, at feveral different Times, and frequently heard him fay that *they expected Forces there from Batavia*; that, about the Time of the arrival of the Ship Vifiolet, this Deponent faw and held a Converfation with the faid M. Schevichaven in Calcutta, when, in the warmth of his Difcourfe, on the Subject of an Incident which had difgufted him, he expreffed himfelf to this Effect, that *it would not be long before he fhould be able to do himfelf juftice*, for that *an Armament was coming from Batavia of confiderable Force*; that this Gentleman talked publickly in the fame ftrain on his Vifits at Calcutta; and that this Deponent was at the fame Time well informed it was commonly talked of at Chinfura, long before their Ships or Troops arrived, that *the Dutch would foon take Satisfaction* for the Injuries they had received, *having endured too long the Infults of the Moors and Englifh*; and that the firft Intimation at Calcutta of a Dutch Armament was, as this Deponent believes, about five Months before the Dutch Armament arrived in Bengal River, from an Englifh Gentleman then at Bengal, one Captain Roach, who (as this Deponent was informed and believes) making a Vifit to Chinfura, and mentioning there his Intention of returning to Europe, was told by a Member of the Dutch Council, Mynheer Ifinck, that he would leave Bengal *very feafonably*, for that they (the Dutch Council) *had applied for a Reinforcement from Batavia, on the arrival of which* he hoped *the Face of Affairs would be greatly changed in their Favour*.

London, the 25th February, 1762.
Sworn before me, *MATTHEW BLAKISTON*.

THOMAS BODDAM.

A true Copy of the Original Affidavit now depofited in the Eaft-India-Houfe, London.
ROBERT JAMES, *Secretary*.

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